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HOUSE JOURNAL

OF THE

Twenty-fourth Legislative
Assembly

OF THE

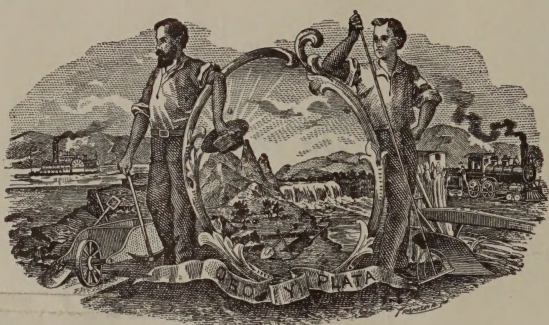
STATE OF MONTANA

Held at Helena, the Seat of Government of Said State,
commencing January 7th, 1935, and
ending March 7th, 1935

PUBLISHED BY AUTHORITY



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OFFICERS AND MEMBERS

OF THE

24th Legislative Assembly of the State of Montana

W. ELMER HOLT, President of the Senate Pro Tem

W. P. PILGERAM, Speaker of the House

STATE SENATORS

NAME	Residence	County	Politics
Anderson, Alfred R.....	Sioux Pass.....	Richland.....	Democrat
Angvick, Lars.....	Reserve.....	Sheridan.....	Republican
*Armstrong, Bert B.....	Livingston.....	Park.....	Democrat
Arnold, S. C.....	Broadview.....	Stillwater.....	Republican
Baker, F. E.....	Libby.....	Lincoln.....	Democrat
Benjamin, H. E.....	Shelby.....	Toole.....	Democrat
Blankenbaker, V. F.....	Virgelle.....	Chouteau.....	Democrat
Campbell, John L.....	Missoula.....	Missoula.....	Republican
*Carey, Emmett.....	Glendive.....	Dawson.....	Republican
*Carroll, L. Ray.....	Roundup.....	Musselshell.....	Republican
*Church, W. R.....	Helena.....	Lewis and Clark.....	Democrat
*Clifford, Frank H.....	Havre.....	Hill.....	Democrat
*Coburn, John W.....	Cut Bank.....	Glacier.....	Republican
†Colbo, George A.....	Baker.....	Fallon.....	Democrat
Cooper, George R.....	DeBorgia.....	Mineral.....	Republican
Cotter, Chas. P.....	Townsend.....	Broadwater.....	Republican
*Danielsen, T. P.....	Poplar.....	Roosevelt.....	Democrat
*Delaney, F. W.....	Terry.....	Prairie.....	Democrat
Eaton, Ernest T.....	Polytechnic.....	Yellowstone.....	Republican
*Ekegren, E. P.....	Harlem.....	Blaine.....	Republican
Garrison, J. B.....	Reichle.....	Madison.....	Republican
Groff, H. C.....	Victor.....	Ravalli.....	Democrat
Hammond, W. L.....	Carlyle.....	Wibaux.....	Democrat
*Harris, Orville.....	Wh. Sulphur Spgs.....	Meagher.....	Democrat
*Hennessy, W. B.....	Conrad.....	Ponderosa.....	Democrat
Hollenback, B. D.....	Buffalo.....	Judith Basin.....	Republican
*Holt, W. Elmer.....	Miles City.....	Custer.....	Democrat
*Holton, Albert.....	Cohagen.....	Garfield.....	Republican
*Kalberg, F. S.....	Circle.....	McCone.....	Republican
*Keeley, W. E.....	Deer Lodge.....	Powell.....	Republican
*Kelsey, Frank T.....	Moorhead.....	Powder River.....	Republican
*Kilduff, J. F.....	Malta.....	Phillips.....	Democrat
*Lamp, F. M.....	Big Timber.....	Sweet Grass.....	Republican
Larson, T. O.....	Choteau.....	Teton.....	Republican
Liess, Frank.....	Forsyth.....	Rosebud.....	Republican
*MacGillvra, E. E.....	Polson.....	Lake.....	Republican
*Melton, George M.....	Dillon.....	Beaverhead.....	Democrat
Meyer, Harry.....	Butte.....	Silver Bow.....	Democrat
*Murphy, Thomas F.....	Anaconda.....	Deer Lodge.....	Democrat
Nass, J. N.....	Glasgow.....	Valley.....	Democrat
O'Day, R. S.....	Great Falls.....	Cascade.....	Democrat
Oliver, John.....	Ekalaka.....	Carter.....	Republican
Page, John R.....	Philipsburg.....	Granite.....	Democrat
*Parkin, E. J.....	Bozeman.....	Gallatin.....	Republican
Pauline, Robert.....	Kalispell.....	Flathead.....	Republican
*Plank, Leonard.....	Chester.....	Liberty.....	Democrat
*Plumer, A. J.....	Hysham.....	Treasure.....	Democrat
*Putnam, John A.....	Hardin.....	Big Horn.....	Democrat
Shannon, Ray N.....	Thompson Falls.....	Sanders.....	Democrat
Sibbert, Henry N.....	Winnett.....	Petroleum.....	Republican
*Simmons, H. A.....	Red Lodge.....	Carbon.....	Republican
*Sparling, J. T.....	Flaxville.....	Daniels.....	Democrat
Stevens, I. Thayer.....	Harlowton.....	Wheatland.....	Republican
Sullivan, M. J.....	Alhambra Hot Sp.....	Jefferson.....	Democrat
*Thien, Henry.....	Ryegate.....	Golden Valley.....	Independent
Wass, L. M. A.....	Roy.....	Fergus.....	Democrat

*Holdover. Elected in 1932. †Deceased June 4, 1935.

C. J. McALLISTER, Secretary.

House of Representatives

NAME	Residence	County	Politics
Acher, John W.	Zurich	Blaine	Democrat
Ahlgreen, Carl A.	Ronan	Lake	Republican
Anderson, Eric	Regina	Phillips	Republican
Balgord, O. P.	Lavina	Golden Valley	Republican
Ballard, Jack	Carlyle	Wibaux	Democrat
Bertsche, W. H.	Great Falls	Cascade	Democrat
Boone, William T.	Deer Lodge	Powell	Democrat
Brennan, J. P.	Sidney	Richland	Democrat
Burris, Gene	Anaconda	Deer Lodge	Democrat
Busch, L. W.	Baker	Fallon	Republican
Buttelman, Wm. H.	Willow Creek	Gallatin	Democrat
Byrne, E. J.	Galata	Toole	Democrat
*Caldwell, V. D.	Billings	Yellowstone	Republican
Chamberlain, Clarence	Sand Creek	McCone	Republican
Chapman, D. W.	Peerless	Daniels	Democrat
Conner, J. B.	Farmington	Teton	Democrat
Connors, Cain	Butte	Silver Bow	Democrat
Coultas, J. E.	Conner	Ravalli	Republican
Cusick, W. M.	Kalispell	Flathead	Democrat
Doe, M. Everett	Philipsburg	Granite	Democrat
Ecton, Zales	Manhattan	Gallatin	Republican
Egan, Hugh	Lewistown	Fergus	Republican
Emmett, M. F.	Fromberg	Carbon	Democrat
Emmons, R. A.	Anaconda	Deer Lodge	Democrat
Ewing, G. L.	Judith Gap	Wheatland	Democrat
Foor, Arlie M.	Wolf Point	Roosevelt	Republican
Fowler, C. W.	Billings	Yellowstone	Republican
Goodwin, Phil C.	Butte	Silver Bow	Democrat
Gordon, Geo. D.	Fort Benton	Chouteau	Democrat
Gray, Claude C.	Big Timber	Sweet Grass	Democrat
Green, Henry R.	Lindsay	Dawson	Republican
Groene, Merle C.	Lewistown	Fergus	Democrat
Haight, Herbert	Suffolk	Fergus	Democrat
Hall, DeLoss	Ekalaka	Carter	Republican
Hamilton, E. D.	Plains	Sanders	Democrat
Harlen, Harry C.	Chinook	Blaine	Democrat
Harwood, Ben	Billings	Yellowstone	Republican
Haugan, K. O.	Fishtail	Stillwater	Republican
	Missoula	Missoula	Democrat
Hedden, Henry T.	Billings	Yellowstone	Democrat
Helding, Oscar	Missoula	Missoula	Democrat
Hinerman, S. A.	Larslan	Valley	Democrat
Joffray, E. N.	Clancy	Jefferson	Democrat
Johnson, Theodore J.	Bloomfield	Dawson	Democrat
Kathan, A. E.	Brady	Pondera	Democrat
Kelly, W. G.	Kalispell	Flathead	Democrat
Kruse, Albert H.	Brusett	Garfield	Republican
Kuhl, Herman	Luther	Carbon	Democrat
Lasby, W. D.	Townsend	Broadwater	Republican
†Leary, J. E.	Eureka	Lincoln	Democrat
Leavitt, William B.	Miles City	Custer	Republican
Lemmer, Frank	Great Falls	Cascade	Democrat
Liggett, J. A.	Roundup	Musselshell	Republican
Lippard, Gordon J.	Loma	Chouteau	Democrat
†Logan, E. U.	Billings	Yellowstone	Republican
Lott, Mortimer J.	Twin Bridges	Madison	Republican
Lovell, Edward F.	Anaconda	Deer Lodge	Republican
McCaustland, Jack	Forsyth	Rosebud	Democrat
McLaughlin, John	Stevensville	Ravalli	Republican
Manning, D. M.	Hysham	Treasure	Democrat
Mastersson, James W.	Miles City	Custer	Democrat
Mellen, Joe	Armstead	Beaverhead	Democrat
Miller, Guy A.	Flaxville	Roosevelt	Democrat
Miller, Robert J.	Lodgegrass	Big Horn	Democrat
Minette, C. H., Dr.	Cut Bank	Glacier	Democrat
Mitchell, Harry	Butte	Silver Bow	Democrat
Monahan, George M.	Livingston	Park	Democrat
Moss, G. M.	Whitefish	Flathead	Republican
Muholland, M. J.	Butte	Silver Bow	Democrat
Mundy, G. F.	Gildford	Hill	Republican
Neary, William	Walkerville	Silver Bow	Democrat
Nelson, Frank J.	Winnett	Petroleum	Democrat
Nutting, L. A.	Laurel	Yellowstone	Democrat

*Deceased January 30, 1935.

†Deceased April 29, 1935.

†To succeed V. D. Caldwell, deceased.

HOUSE OF REPRESENTATIVES—(Continued)

NAME	Residence	County	Politics
O'Brien, John	Butte.....	Silver Bow.....	Democrat
O'Byrne, Edward	Butte.....	Silver Bow.....	Democrat
O'Connor, George	Fromberg.....	Carbon.....	Republican
Ormsbee, E. R.	Haugan.....	Mineral.....	Democrat
Paddybury, Fred H.	Helena.....	Lewis and Clark.....	Republican
Parker, Neil C.	Creston.....	Flathead.....	Republican
Peterson, Ernest A.	Bozeman.....	Gallatin.....	Democrat
Peterson, J. M.	Hinsdale.....	Valley.....	Democrat
Petersen, P. C.	Westby.....	Sheridan.....	Democrat
Pilgeram, W. P.	Armington.....	Cascade.....	Democrat
*Quigley, Clyde J.	Malta.....	Phillips.....	Democrat
Ritch, John B.	Lewistown.....	Fergus.....	Democrat
Rolph, H. D.	Joplin.....	Liberty.....	Democrat
Ryan, Thomas	Butte.....	Silver Bow.....	Democrat
Scotfield, Chas. L.	Biddle.....	Powder River.....	Republican
Sexton, Earl M.	Livingston.....	Park.....	Democrat
Sherman, C. H.	Wh. Sulphur Spgs.	Meagher.....	Democrat
Smith, Paul W.	Helena.....	Lewis and Clark.....	Republican
Southmayd, William P.	Great Falls.....	Cascade.....	Democrat
Spiegel, Sam	Butte.....	Silver Bow.....	Democrat
Stevens, Chas. L.	Great Falls.....	Cascade.....	Democrat
Stimat, Thomas G.	Butte.....	Silver Bow.....	Democrat
Stromnes, Einar J.	Great Falls.....	Cascade.....	Democrat
Toomey, Edmond G.	Helena.....	Lewis and Clark.....	Republican
Watson, Fred	Missoula.....	Missoula.....	Republican
Whaley, Jas.	Terry.....	Prairie.....	Democrat
White, E. C.	Buffalo.....	Judith Basin.....	Democrat
White, Wm. R.	Havre.....	Hill.....	Republican
Worden, Donovan	Missoula.....	Missoula.....	Republican
†York, Dr. Edw. E.	Plentywood.....	Sheridan.....	Democrat

*Deceased July 13, 1935.

†Deceased June 20, 1935.

JOHN J. JEWELL, Chief Clerk.

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41	A Bill for an Act entitled: "An Act to amend Section 1253, of the Revised Codes, of Montana, of 1921, relating to qualifications of voters.".....	88, 107.
42	A Bill for an Act entitled: "An Act to repeal Sections 10737, 10738, 10739, 10740, 10741, 10742, 10743, 10744, 10745 and 10746 of the Revised Codes of Montana of 1921, relating to the crimes of sedition, criminal syndicalism, and prohibiting carrying, displaying or exhibiting any red flag as a symbol."	94, 154, 311.
Sub. 42	A Bill for an Act entitled: "An Act to repeal Sections 10737, 10738, 10739, 10740, 10741, 10742, 10743, 10744, 10745, and 10746 of the Revised Codes of Montana of 1921, relating to the crimes of sedition and criminal syndicalism.".....	311, 319, 348, 378, 397, 427, 460, 482, 511.
43	A Bill for an Act entitled: "An Act to provide for the continuation of the codification of the Revised Codes of Montana of 1935 and appropriating money therefor."	94, 137, 172, 185, 186, 216, 217, 245, 262, 278, 281, 306, 328, 333, 392.
44	A Bill for an Act entitled: "An Act to amend Section 3 of Chapter 12 of the Session Laws of the Twenty-third Legislative Assembly, 1933.".....	94, 176.
Sub. 44	A Bill for an Act entitled: "An Act to amend Sections 2 and 3 of Chapter 12 of the Session Laws of the Twenty-third Legislative Assembly relating to nepotism."	176, 180, 196, 254, 270, 286, 289, 317, 519, 520, 559, 584, 633, 637.
45	A Bill for an Act entitled: "An Act providing for the slander of woman; defining and prescribing penalties for the violation thereof.".....	94, 167, 168, 179.

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46	A Bill for an Act entitled: "An Act to amend Section 5003, of the Revised Codes of Montana of 1921, relating to electors of cities and towns and terms of office."	94, 100, 222, 250, 270, 272, 312.
Sub. 46	A Bill for an Act entitled: "An Act to amend Section 5003 of the Revised Codes of Montana, 1921, relating to the election and terms of office of all elective municipal officers."	312, 319, 348, 388, 389, 398, 485, 499, 514, 560, 635, 637, 656, 680, 727, 737, 740.
47	A Bill for an Act entitled: "An Act to amend Section 689 Revised Codes of Montana, 1921, relating to the time for opening and closing of polls for election."	94, 104, 114, 124, 126, 133, 134, 159, 191, 200, 211, 224, 225, 239, 243, 246.
48	A Bill for an Act entitled: "An Act to amend Section 587 of the Revised Codes of Montana of 1921 as amended by Chapter 43 Acts of the Eighteenth Legislative Assembly and Sections 593 and 607 of the Revised Codes of Montana of 1921 and repealing Section 588, Revised Codes of Montana, 1921, relating to Judges and Clerks of Election and notices of election."	94, 104, 121, 135, 148, 184, 270.
49	A Bill for an Act entitled: "An Act to amend Sections 557 and 566 and repealing Sections 567 and 571 Revised Codes of Montana, 1921, relating to the registration of electors."	95, 167.
50	A Bill for an Act entitled: "An Act to amend Section 1536 of the Revised Codes of Montana of 1921, as amended by Section 2 of Chapter 126 of the 19th Legislative Assembly; relating to the admission of wives and widows of soldiers and sailors to the Soldiers' Home."	95, 121, 135, 148, 149, 152, 153, 170, 199, 211, 213, 253, 270, 293, 297, 310, 318, 325.
51	A Bill for an Act entitled: "An Act to require a bond from employers of labor in mining operations to guarantee the payment of wages."	95, 251.
Sub. 51	A Bill for an Act entitled: "An Act to require a bond from employers of labor in mining operations to guarantee the payment of wages."	251, 253, 268, 324, 339, 345, 377, 486, 487.

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52	A Bill for an Act entitled: "An Act to regulate the operation of certain games of chance; to provide when the operation thereof shall be illegal; to provide for a license fee therefor and the disposition thereof; and to repeal all Acts and parts of Acts in conflict therewith."	95, 211, 225.
53	A Bill for an Act entitled: "An Act to regulate advertising of agricultural products; providing for grade to be quoted in advertisements and providing for a penalty for violation thereof; and repealing all laws in conflict herewith."	101, 127, 148, 153, 154, 163, 164, 179, 235, 244, 245, 475, 486, 487, 548, 550, 571, 572, 608, 627, 633.
54	A Bill for an Act entitled: "An Act to amend Section 2, paragraphs a, b, and c of Section 4 and Section 18 of Chapter 164 of the Montana Session Laws of 1933 relating to wholesale dealers in agricultural products."	101, 127, 148, 153, 154, 161, 174, 185, 206, 207, 222, 239, 248, 261, 627, 637, 656, 671, 685, 740, 755, 756, 765, 794, 828, 845, 865, 867, 868, 881, 893, 933.
55	A Bill for an Act entitled: "An Act to amend paragraphs (D) and (G) of Section 1 of Chapter 138 of the Twenty-second Legislative Assembly as amended by Chapter 1 of the Twenty-third Legislative Assembly; to amend Section 3 of Chapter 138 of the Twenty-second Legislative Assembly; and to amend Section 6 of Chapter 138 of the Twenty-second Legislative Assembly; all relating to fixing standard grades of apples."	101, 127, 148, 153, 154, 161, 174, 185, 206, 207, 222, 239, 249, 261, 475, 486, 487, 516, 549, 555, 558.
56	A Bill for an Act entitled: "An Act to amend Section 2819, Revised Codes of Montana, 1921, relating to the Industrial Accident Board and defining its membership."	101, 168, 275.
57	A Bill for an Act entitled: "An Act providing for the refunding of money expended by any individual in the purchase of a liquor permit from the Montana Liquor Control Board for 1935."	101, 799.
58	A Bill for an Act entitled: "An Act to require all counties to quiet title to all land acquired by tax sale."	101, 619.

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59	A Bill for an Act entitled: "An Act providing for a limitation of the hours of labor of all men employed in all industries; relating to minimum wages of the men so employed; establishing a Labor Board and defining the salary, powers, duties, and for the dismissal of the same; declaring an emergency, and providing penalties.".....	101, 154, 219, 239, 254, 255, 270.
60	A Bill for an Act entitled: "An Act to amend Chapter 57 of the Laws of the Twentieth Legislative Assembly of the State of Montana for the year 1927, relating to the powers, duties and limitations of building and loan associations, by adding a new section thereto to be numbered Section 48a to provide the terms upon which certain building and loan associations may be permitted to resume business."	102, 112, 121, 135, 147, 148, 159, 188, 189, 210, 226, 235, 243.
61	A Bill for an Act entitled: "An Act amending Section 10376 of the Revised Codes of Montana of 1921, relating to the powers of Clerks of the District Courts to issue notices, orders and hold hearings in probate and guardianship matters and providing for the modification or setting aside of any notices or orders so made."	102, 127, 149, 171, 177, 181, 200, 234, 245, 252, 253, 254, 305, 321, 339, 392.
62	A Bill for an Act entitled: "An Act providing for alternate jurors in any civil or felony case the trial of which is likely to be a protracted one, providing the method of drawing said jurors and specifying their duties and repealing all Acts and parts of Acts in conflict herewith."	102, 114, 149, 153, 154, 171, 182, 184, 200, 234, 245, 252, 260, 261, 273, 276, 278.
63	A Bill for an Act entitled: "An Act to amend Section 7726 of the Revised Codes of Montana of 1921, relative to the maximum rate of interest."....	103, 126, 148, 153, 154, 163, 179, 262, 277, 281, 323, 334, 367, 368, 390, 393, 761, 762, 768, 843, 844, 849, 893.
64	A Bill for an Act entitled: "An Act to amend Section 182 of the Revised Codes of the State of Montana, 1921, as amended by Chapter 180 of the Session Laws of the Twenty-first Legislative Assembly, 1929, relating to the depositing of funds in the hands of the State Treasurer; and provid-	

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	ing for the security to be delivered by the banks designated as depositories by the State Depository Board."	104, 168, 170, 182, 196, 206, 207, 238, 250, 264, 281, 316, 334, 373, 381, 394, 423, 473, 486, 499, 555, 558, 731, 732, 736, 746, 752, 766, 800.
65	A Bill for an Act entitled: "An Act to amend Section 1219 of the Revised Codes of Montana of 1921, as amended by Chapter 120, Acts of the Nineteenth Legislative Assembly and to amend Sections 1221 and 1222 Revised Codes of Montana of 1921, all relating to the voting of additional school levies for district school purposes.".....	104, 225, 250, 270, 303, 304, 343, 377, 423, 468, 473.
66	A Bill for an Act entitled: "An Act to amend Section 5714, Revised Codes of Montana, 1921, relating to marriage license and defining refusal of same; and providing for certificates of health for applicants; its contents, and who shall execute same."	104, 392.
Sub. 66	A Bill for an Act entitled: "An Act to amend Section 5714, Revised Codes of Montana, 1921, relating to marriage license and defining refusal of same; and providing for certificates of health for applicants; its contents, and who shall execute same."	392, 405, 494, 511, 545, 577, 578, 629, 659, 740, 754, 764, 765, 791, 800, 801.
67	A Bill for an Act entitled: "An Act prohibiting the charging and collecting of any tuition, enrollment, registration, matriculation or other fees, deposits, charges or exactions from students who are residents of the State of Montana, for attending the State University at Missoula, the College of Agriculture and Mechanic Arts at Bozeman, the School of Mines at Butte and the Normal College at Dillon, Billings and Havre, and prescribing certain exceptions."	109, 137, 168, 169.
68	A Bill for an Act entitled: "An Act to amend Section 1002 of Revised Codes of Montana, 1921, relative to the qualifications of electors at school elections."	109, 134.
69	A Bill for an Act entitled: "An Act appropriating money for the payment of claim of Andy Briscoe as compensation or as a pension and for an artificial limb and expenses incident to fitting artificial limb, due to injuries received while on duty	

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	in the service of the State of Montana as a private in the Service Company, 163rd Infantry, Montana National Guard."	109, 498, 532, 576.
70	A Bill for an Act entitled: "An Act to amend Chapter 59 of the Montana Session Laws of 1933, relating to the fees of County Coroners."	109, 134, 148, 153, 154, 163, 164, 179, 393, 394.
71	A Bill for an Act entitled: "An Act to protect trade-mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a distinguished trade-mark, brand or name."	109, 371, 409, 462.
72	A Bill for an Act entitled: "An Act providing for the recount of the votes cast at any general or special election, or at any municipal election, by the Board of County Canvassers pursuant to an order therefore, upon application made to the District Court, or to a Judge thereof, by any person who by the statement of the result of the canvass of the election returns by the Board of County Canvassers is found not to have received the highest number of votes for the office for which said person was a candidate at such election; and providing for the correction of the official canvass by the said Board of County Canvassers to conform to such recount; and for the cancellation of the certificate of election issued by the County Clerk if it should be found by such recount that the person to whom the certificate had theretofore been issued did not receive the highest number of votes for said office; and for the issuance of a certificate of election to the successful candidate as disclosed by said recount; and repealing and amending all Acts or parts of Acts, or section of the statute in conflict herewith."	113, 167, 196, 206, 207, 222, 239, 248, 261, 333, 364, 373, 397, 408, 426, 476.
73	A Bill for an Act entitled: "An Act amending Section 76 R. C. M. 1921, providing for the compensation of certain officers and employees of the Legislative Assembly, and repealing Chapter 99 of the Acts of the Twenty-third Legislative Assembly of Montana of 1933 and all Acts and parts of Acts in conflict herewith."	118, 137, 171, 172, 182, 183, 184, 200, 211, 237, 243, 260, 261, 273, 276, 278.
74	A Bill for an Act entitled: "An Act relating to irrigation districts; empowering Boards of Commissioners of such districts to supervise, regulate and control the apportionment and distribution of	

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	water through the distribution system of such districts; providing for the installation of lock boxes, head gates or other devices for the distribution of water through laterals at the expense of the lands served thereby; prohibiting interference with the control of water by Boards of Commissioners; defining certain terms used in this Act; providing penalties for the violation of this Act and repealing Chapter 119 of the Acts of the Twenty-third Legislative Assembly of Montana of 1933, and all other Acts and parts of Acts in conflict herewith."	118, 467, 565, 609, 614, 652, 686, 740, 744, 754, 764, 765, 791, 800, 801.
75	A Bill for an Act entitled: "An Act to amend Sections 2 and 5 of Chapter 120 of the Session Laws of the Twenty-first Legislative Assembly of the State of Montana, defining the qualifications of police officers in cities and towns in the State of Montana, providing for the creation of police reserves and specifying salary limitations thereon."	119, 551.
76	A Bill for an Act entitled: "An Act to amend Section 4932 of the Revised Codes of the State of Montana, 1921, to allow Constables' salaries in certain townships."	119, 197, 360, 383, 410, 450, 454, 494, 559, 584, 633, 728, 738, 755, 782, 813, 824, 831, 832, 833, 835, 849.
77	A Bill for an Act entitled: "An Act to amend Section 14 of Chapter 147 Acts of the Twentieth Legislative Assembly entitled: 'An Act relating to school district bonds; granting Boards of Trustees of school districts of all classes the power to issue, negotiate and sell or exchange bonds for certain purposes under certain limitations and restrictions; providing the manner of holding bond elections and prescribing the qualifications of electors; prescribing the procedure covering the issuing, sale, or exchange of such bonds; providing for payment of the principal and interest of such bonds; prescribing the duties of Boards of School Trustees; Boards of County Commissioners, and County Treasurers in connection with the levying and collection of taxes for the payment of principal and interest on such bonds; and repealing Sections 1032, 1230, 1232 and Sections 1244 to 1251 inclusive, of the Revised Codes of Montana of 1921; repealing Sections 1224, 1225, 1226, 1228 and 1229 of the Revised Codes of Montana of 1921, as amended by Chapter 153 of the Laws of the Eighteenth Legislative Assembly;	

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	repealing the said Chapter 153, and all other Acts and parts of Acts in conflict with the provisions of this Act'."	119, 198, 233, 254, 273, 289, 290, 317, 333, 364, 373, 397, 408, 426, 555.
78	A Bill for an Act entitled: "An Act to amend Section 2000, Revised Codes, Montana, 1921, relating to basis for imposition of taxes."	119, 260.
79	A Bill for an Act entitled: "An Act to regulate and control the operation of games of chance; to provide for the licensing thereof by the State Board of Equalization and granting to said board certain powers therein; providing for the distribution to the state and counties of the proceeds thereof; establishing a special revenue and old age pension fund; making certain Acts illegal and providing penalties; prohibiting minors from participating in any of said games and providing penalties therefor; permitting cities and towns to levy a license tax therefor in addition to the state tax herein provided; providing that by a special election any county may prohibit the games of chance in said county; repealing all Acts or parts of Acts in conflict therewith."	119, 233, 250, 268, 301, 308, 319, 339, 346, 347, 358, 406.
Sub. 79	A Bill for an Act entitled: "An Act to regulate and control the operation of games of chance; to provide for the licensing thereof by the State Board of Equalization and granting to said board certain powers therein; providing for the distribution to the state and counties of the proceeds thereof; establishing a special revenue and old age pension fund; making certain acts illegal and providing penalties; prohibiting minors from participating in any of said games and providing penalties therefor; permitting cities and towns to levy a license tax therefor in addition to the state tax herein provided; providing that by a special election any county may prohibit the games of chance in said county; providing that before such games of chance shall be licensed a special election shall be had in such counties and providing for such special election; repealing all Acts or parts of Acts in conflict therewith."	406, 407, 450, 480, 483, 503, 559, 824, 826, 828, 846, 896.
80	A Bill for an Act entitled: "An Act to amend Subdivision 3 of Section 8 of Chapter 65, Session Laws of 1923, relating to an Act to establish a tax on direct and collateral inheritances, bequests and devises; to provide for its assessment and collection; directing the dispositions of the pro-	

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	ceeds thereof. All Acts and parts of Acts in conflict herewith are hereby repealed.".....	119, 198, 233, 254, 270, 286, 290, 291, 317, 363, 364, 377, 393, 499, 512, 541, 591, 633.
81	A Bill for an Act entitled: "An Act appropriating money in satisfaction of the claim of Dale Robinson for damages to his car resulting from the theft of said car by the inmates of the School for Deaf and Blind, and directing the State Auditor to draw his warrant out of any fund or funds not otherwise appropriated in settlement of said claim upon payment of said warrant.".....	120, 497.
82	A Bill for an Act entitled: "An Act granting to non-resident owners and operators of motor vehicles the privilege of using the highways of the State of Montana and its political subdivisions and providing for the appointment by such non-resident users of such highways and by resident users of such highways of the Secretary of State as attorney in fact for such operators of motor vehicles for service of all lawful process in any action or proceeding against such operators of motor vehicles growing out of any accident, collision, or liability in which such operators of motor vehicles may be involved while operating motor vehicles upon such highways; and providing that the Act shall not apply if the defendant may with due diligence be found and personally served with process in the State of Montana.".....	120, 594, 670.
83	A Bill for an Act entitled: "An Act to amend Section 5127 of the Revised Codes of Montana, 1921, as amended by Section 9 of Chapter 58 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana, as amended by Section 1, Chapter 127 of the Session Laws of the Regular Session of the Twenty-third Legislative Assembly of the State of Montana relative to the manner in which the State Auditor of the State of Montana shall pay the Fire Department Relief Associations, legally organized and existing in the several cities and towns in the State of Montana, their respective share of the license fees collected from fire insurance companies licensed to do business in the State of Montana."..	122, 197, 226, 249, 250, 256, 266, 281, 298, 318, 330, 349, 350, 370, 377, 392.
84	A Bill for an Act entitled: "An Act relating to the licensing of persons operating motor vehicles upon the highways of the state; prescribing the persons and operators to be licensed, the form of license and the fees to be charged therefor; providing for the suspension and revocation of any	

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	license issued and prescribing penalties for the violation of the provision of this Act.".....	122, 593, 594, 675, 711, 712, 715, 741, 895.
85	A Bill for an Act entitled: "An Act to amend Sections 1, 2 and 7 of Chapter 127 of the Session Laws of the Twenty-first Legislative Assembly, 1929, and to amend Sections 3, 9, 10 and 11 of Chapter 127 of the Session Laws of the Twenty-first Legislative Assembly 1929, as the same was amended by Chapter 18 of the Session Laws of the Twenty-second Legislative Assembly 1931, relating to barbers, and the occupation of barbering, and to barber shops, and to sanitary rules and regulations therefor; and as to the qualifications and registration of barbers, barber apprentices, students and barber schools or colleges; and for the issuance by the Board of Barber Examiners of licenses or permits to barbers, barber apprentices, students and to barber schools or colleges, and providing for the fees to be paid therefor, and for the renewal and cancellation thereof; and defining the occupation of barbering; and providing as to what constitutes a barber shop; and providing that a barber shop shall not be conducted in a dwelling or with another business except as defined and specified in this Act; and providing for the examinations of barbers by the Board of Barber Examiners, and the issuance of licenses therefor, and relating to the fees to be paid therefor; and for the approval of barber schools or colleges, and providing for the fees therefor; and providing for officers of the Board of Barber Examiners, their election and duties; and providing for an official seal for the Board of Barber Examiners, and for bonds of officers; and consolidating the office of secretary and treasurer so that the same shall be held by one member of the board, and providing for the election of a vice-president of said board, and providing that wherever in this Act any moneys or fees are required to be paid to the secretary or to the board, the same shall be paid to the secretary and treasurer; and providing for the examination and inspection of barber shops; and providing for the appointment by the Board of Barber Examiners of an inspector or inspectors, and as to the compensation and duties of such inspector and inspectors and providing for certain police powers to be conferred upon members of the Board of Barber Examiners, and upon an inspector or inspectors appointed by such board; and prohibiting any person from practicing the occupation of a barber without first obtaining a license as provided for in this Act; and prohibiting any person knowingly employing a person to engage in the occupation of barbering who has not obtained such license; and prohibiting any	

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	<p>person falsely pretending to practice the occupation of a barber who has not obtained such license; and providing a method for the cancellation or revocation of any certificate of registration or permit issued by said Board of Barber Examiners; and providing for the issuance of duplicate certificates and fees to be paid therefor; and providing a penalty for any person who fails to comply with the rules and regulations prescribed in this Act for the sterilization of tools, or fails to comply with the provisions of this Act with reference to the laundering of linen; and prescribing a penalty for any person who attempts to obtain a license for money other than the required fee; and prescribing the procedure upon failure to pass any examination to secure a permit or a re-examination; and to enact Section 7 providing for the term of office and appointment of members of the Board of Barber Examiners by the Governor; and to enact Section 8 providing for a penalty for the violation of provisions of this Act; and to enact Section 8 providing that if any portion of this Act is declared unconstitutional by a court of competent jurisdiction it shall not affect the validity of the remainder of the Act."</p>	<p>122, 138, 139, 172, 185, 196, 217, 245, 297, 314, 318.</p>
86	<p>A Bill for an Act entitled: "An Act to amend Section 3144 and to amend Section 3149 as amended by Chapter 129 of Session Laws of 1933 and Section 3153 of the Revised Codes of Montana of 1921 relative to the definition of chiropractic, renewal and the penalty for violation of Act."</p>	<p>123, 210, 238, 257, 271, 303, 304, 331, 517, 527.</p>
87	<p>A Bill for an Act entitled: "An Act establishing the State Board of Dental Examiners of the State of Montana, and specifying the qualifications, term of office and compensation, and providing for the appointment of the members of the board, prescribing the powers and duties of said board, specifying the qualifications of applicants for licenses to practice dentistry and dental hygiene within the State of Montana, providing for the examination of such applicants and the fees to be paid by them, the issuance of licenses to successful applicants, defining and regulating the practice of dentistry with the State of Montana, prohibiting the practice of dentistry without a license and providing penalties for the violation of this Act, defining and prohibiting unprofessional conduct of dentists and specifying the grounds and procedure for the revocation of licenses, and further prescribing penalties for the violation of this Act in such particulars and repealing Sections 3105, 3106, 3107, 3108, 3109, 3110,</p>	

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	3111, 3112, 3113, 3114 and 3115 Revised Codes, Montana, 1921, being Chapter 222, Part III, Political Code of the State of Montana, and all Acts and parts of Acts in conflict herewith.".....	123, 153, 182, 206, 238, 286, 290, 317, 519, 557, 612, 625, 633, 659.
88	A Bill for an Act entitled: "An Act to amend Section 11170 Revised Codes of Montana, 1921, and to repeal Section 11179 Revised Codes of Montana, 1921, both of said sections relating to gambling."	123, 168, 196, 206, 214, 222, 226, 249, 250, 253, 263.
89	A Bill for an Act entitled: "An Act to provide a bounty on gophers and provide the method of payment of the same.".....	132, 196, 197, 225.
90	A Bill for an Act entitled: "An Act to authorize the State Depository Board to permit the State Treasurer to retain unregistered warrants as a part of his cash volume.".....	133, 155, 182, 206, 208, 227, 228, 261, 519, 559, 584, 728, 729, 736, 752, 766, 800.
91	A Bill for an Act entitled: "An Act to amend Section 5138 of the Revised Codes of Montana, 1921, as amended by Section 1 of Chapter 135 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana, relating to the hours of work of members of paid fire departments of cities of the first class and second class, providing a minimum compensation for members of paid fire departments of cities of the first class, providing that members of paid fire departments of cities of the second class shall suffer no reduction in salary on account of the operation thereof, providing penalties for a violation thereof, and repealing all Acts or parts of Acts in conflict therewith.".....	133, 187, 208, 238, 250, 265, 266, 281, 396, 423, 486, 548, 550, 571, 572, 608, 627, 633.
92	A Bill for an Act entitled: "An Act regulating the hours of labor of drivers and attendants of motor busses in the State of Montana; defining the term 'attendant' and fixing penalties for the violation of the provisions of this Act.".....	133, 218, 239, 254, 268, 286, 301.
93	A Bill for an Act entitled: "An Act to amend Sections 1999 and 2000 of the Revised Codes of Montana of 1921 relating to the classification of taxable property."	133, 647.

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94	A Bill for an Act entitled: "An Act to authorize the erection or reconstruction by the State Board of Education of buildings for the Montana State Normal College to authorize the borrowing of money to pay for the construction or reconstruction of said buildings to issue bond and create a fund out of which the principal of and the interest upon the money so borrowed may be paid and to provide that the money so borrowed, shall not be and never shall become a charge against the State of Montana or a liability, debt or obligation of the State of Montana and declaring the existence of an emergency.".....	133, 143, 172, 185, 186, 216, 235, 252, 272, 281, 285, 286, 293, 294, 300.
95	A Bill for an Act entitled: "An Act to amend the Judicial Code; defining the jurisdiction and authority of Courts of Equity as to restraining orders or injunctions in cases arising out of labor disputes; defining 'public policy'; declaring an undertaking or promise in conflict with public policy to be unenforceable; allowing no injunction to be issued to prohibit persons doing certain acts in labor disputes; allowing no injunction to be issued except after hearing in open court on mode of procedure; defining certain words and phrases arising in the Act; and repealing all Acts and parts of Acts in conflict therewith."	133, 618, 619.
Sub. 95		619, 702.
96	A Bill for an Act entitled: "An Act concerning declaratory judgments and decrees and the powers of Courts of Record to declare rights, status and other legal relations thereby, defining the parties in such proceedings, providing for review of such judgments and decrees, supplemental, relief, jury trial, construction of this Act and to make uniform the law with reference thereto.".....	136, 155, 196, 206, 207, 208, 219, 220, 245, 252, 278, 280, 321, 322, 339, 392.
97	A Bill for an Act entitled: "An Act to amend Section 8344, Revised Codes of Montana, 1921, relating to priority of mechanics' lien over mortgage."	139, 168, 210.
98	A Bill for an Act entitled: "An Act creating the Montana Highway Patrol Commission, designating the members thereof, providing for the selection, qualification and duties of a Chief Patrol Officer and Patrolmen, defining certain offenses on the highways as menaces to the public health	

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	and safety, and fixing penalties for the infraction thereof; providing for state drivers' licenses; creating a highway patrol revolving fund from licenses and fines; deeming this Act an emergency Act and repealing all Acts and parts of Acts in conflict herewith."	139, 147, 617.
Sub. 98	A Bill for an Act entitled: "An Act creating the Montana Highway Patrol Commission, designating the members thereof, providing for the selection, qualification and duties of a Chief Patrol Officer and Patrolmen; defining certain offenses on the highways as menaces to the public health and safety, and fixing penalties for the infraction thereof; providing for state drivers' licenses; creating a highway patrol revolving fund from licenses and fines, deeming this Act an emergency Act and repealing all Acts and parts of Acts in conflict herewith."	617, 622, 687, 711.
99	"An Act to amend Section 145 of the Revised Codes of Montana of 1921, relating to the fees of the Secretary of State, and to repeal Chapter 146 of the Revised Codes of Montana of 1921, also relating to the fees of the Secretary of State."	139, 157, 196, 206, 207, 222, 238, 250, 265, 281, 316, 334, 373, 499, 504, 505, 541, 625, 633.
100	"An Act to amend Section 2169 of the Revised Codes of Montana of 1921 as amended, relating to the duty of County Treasurer to publish notice of tax delinquency."	139, 157, 182, 206, 219, 228, 261, 297, 318, 334, 363, 375, 377, 473, 486, 548, 551, 576.
101	A Bill for an Act entitled: "An Act to amend Section 503 of the Revised Codes of Montana of 1921, relating to the scope of Chapter 40 of the Political Code of the Revised Codes of Montana, dealing with official bonds."	139, 157, 182, 206, 207, 219, 228, 261, 298, 318, 330, 349, 350, 370, 377, 392.
102	A Bill for an Act entitled: "An Act to legalize and make certain the names of the units of the University of Montana."	139, 157, 182, 206, 207, 208, 222, 239, 249, 261, 333, 364, 373, 389, 408, 426, 476.
103	A Bill for an Act entitled: "An Act to amend Chapter 1 of the Extraordinary Session of the Twenty-third Legislative Assembly of Montana of	

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	1933, relating to the time and method of collecting taxes and the interest and penalty thereon.".....	139, 157, 182, 206, 207, 219, 229, 261, 297, 298, 334, 363, 375, 377, 473, 486, 548, 551, 576.
104	A Bill for an Act entitled: "An Act to repeal Sections 4640 through 4679, inclusive, of the Revised Codes of Montana of 1921, relating to the authority of counties to make seed grain loans in times of drought and other emergencies and providing for the administration thereof.".....	140, 157, 182, 206, 207, 219, 229, 261, 298, 334, 373, 389, 408, 426, 476.
105	A Bill for an Act entitled: "An Act to amend Section 2002 of the Revised Codes of Montana of 1921, relating to the time for making assessments."	140, 156, 157, 186, 206, 207, 219, 230, 261, 298, 334, 373, 389, 390, 408, 426, 476.
106	A Bill for an Act entitled: "An Act to amend Section 762 of the Revised Codes of Montana of 1921, relating to the manner of assisting electors unable to record vote upon the voting machine.".....	140, 156, 186, 206, 207, 219, 230, 261, 298, 334, 373, 389, 390, 408, 426, 476.
107	"An Act to amend Sections 4933, 4936, 4941, and 4942 of the Revised Codes of Montana of 1921, relating to the mileage of jurors and witnesses.".....	140, 156, 196, 206, 207, 208, 220, 245, 252, 277, 280, 323, 346, 349, 350, 370, 377, 392.
108	A Bill for an Act entitled: "An Act to amend Section 4951 of the Revised Codes of Montana of 1921 relating to the duty of the County Commissioners to audit county charges.".....	140, 156, 186, 206, 207, 208, 220, 245, 252, 278, 280, 306, 307, 328, 333, 392.
109	A Bill for an Act entitled: "An Act to amend Section 7 of Chapter 51 of the Extraordinary Session of the Twenty-third Legislative Assembly of Montana of 1933, relating to the license tax on gross proceeds of electricity and electrical energy."	140, 156, 182, 206, 207, 208, 220, 221, 245, 252, 278, 280, 306, 307, 328, 333, 392.

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110	A Bill for an Act entitled: "An Act to repeal Section 11252 of the Revised Codes of Montana of 1921, relating to traffic on bridges."	140, 156, 182, 206, 207, 208, 221, 245, 252, 278, 280, 306, 307, 328, 333, 392.
111	A Bill for an Act entitled: "An Act to repeal Sections 4680 through 4711, inclusive, of the Revised Codes of Montana of 1921, relating to the authority of counties to incur indebtedness for the purpose of aiding their inhabitants who by reason of misfortune resulting from drought or other exigencies, have been rendered destitute or in need of aid and providing for the administration thereof."	140, 156, 182, 206, 207, 208, 221, 245, 252, 276, 280, 323, 345, 346, 349, 350, 370, 377, 392.
112	A Bill for an Act entitled: "An Act to amend Section 4 of Chapter 89 of the Session Laws of the Twenty-third Legislative Assembly of the State of Montana of 1933, relating to the codification of the Revised Codes of Montana of 1935."	140, 155, 156, 196, 206, 207, 219, 228, 229, 261, 298, 334, 373, 389, 390, 408, 426, 476.
113	A Bill for an Act entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Section 2 of Article 9 of the Constitution of the State of Montana relating to the qualifications required of persons to entitle them to vote at general elections, for all officers elective by the people and upon questions that may be submitted to the vote of the people or electors."	140, 540.
114	A Bill for an Act entitled: "An Act to eliminate reckless and irresponsible drivers from the highways; providing for suspension of operators' and chauffeurs' licenses for certain offenses and conditions of renewal thereof and making it a duty of the Clerk of the Court, or the Court, or the court where it has no clerk to forward a certified copy or transcript of judgment or order in the matter of certain offenses against safety; making the Registrar of Motor Vehicles the attorney of non-residents operating personally or by authorized agent any motor vehicle in Montana upon whom may be served all lawful processes and providing how service upon him may be made; defining proof of ability to respond in damages as required by this Act as certificates by insurance carrier or issuance of motor vehicle liability policy of insurance, the bond of certain	

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	surety companies or individual sureties holding real estate in Montana or deposit of money or collateral with State Treasurer, and providing certain regulations for carriers of insurance against loss from legal liability, and time of notice and manner of cancellation or expiration of any motor vehicle liability policy or surety bond; providing that such money or collateral shall be held to satisfy execution issued against person on judgment for damages arising out of ownership, maintenance, use or operation of motor vehicle and procedure to realize upon same; requiring Registrar to furnish certified abstracts of operating records of any person subject to the provisions of this Act; also information pertaining to evidence of ability of operators or owners of motor vehicles to respond in damages; requiring any owner or operator of motor vehicle, in event of breaches of certain duties herein imposed, to return his operator's license, certificate of registration and number plates to the Registrar upon the latter's request, and making it a misdemeanor to wilfully fail to do so and fixing the penalty therefor; fixing the terms and conditions upon which the Registrar shall cancel such bond or return such proof of insurance or the Treasurer shall return such money or collateral; forbidding transfer of certificates of registration or re-registration of certain motor vehicles in another's name to defeat purposes of this Act; making this Act non-applicable to certain automobile insurance against liability; providing penalty and punishment for forging, or without authority, signing any evidence of ability to respond in damages as required hereunder; defining 'motor vehicle liability policy' as used herein, and requiring certain provisions to be therein contained and the filing, before issuance of a copy of the form thereof, except in certain cases, with the Commissioner of Insurance for his approval or disapproval, and requiring the latter to specify in writing his reasons for not approving any form of policy, and further setting forth certain provisions every such motor vehicle liability policy shall be subject to, whether or not therein contained; defining the meaning of certain other words used herein and providing that the Registrar shall make rules and regulations necessary for administration of Act."	140, 594, 670.
115	A Bill for an Act entitled: "An Act to amend Section 11 of Chapter 19 of the Session Laws of the Twentieth Legislative Assembly of Montana of 1927 relating to gasoline exempted from payment of the gasoline tax."	141, 161, 197, 214, 251.
116	A Bill for an Act entitled: "An Act establishing a State Old Age Pension Commission; providing	

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	for the payment of pensions; providing penalties for the violation of the Act; repealing all Acts and parts of Acts in conflict herewith."	141, 269.
117	A Bill for an Act entitled: "An Act to be hereafter named and cited as the Old Age Insurance Act, creating the Old Age Insurance Commission, prescribing their duties as such and giving to said Old Age Insurance Commission power to employ a secretary and other employees and fix their salaries or compensation, and to make such rules and regulations as shall be necessary to carry out the provisions of this Act, providing certain persons over the age of fifty-five years may be granted old age insurance, describing their qualifications therefor as to residence, character and property; creating the state old age insurance fund, providing for the repayment to the old age insurance fund of all money paid in old age insurance under certain conditions; providing the requirements to be made by the applicant before the old age insurance may be collected; providing for old age insurance certificates, and renewal thereof; providing for payment of old age insurance; providing that old age insurance shall not be subject to assignment, sale, attachment or execution; providing for cancellation of old age insurance certificates under certain conditions; providing that the funds for payment of old age insurance shall be furnished or obtained from such source as the Legislature may determine; providing for penalties for obtaining or aiding and abetting in obtaining old age insurance through false representation or fraud; providing for the disqualification of applicants under certain conditions; providing that old age insurance shall be paid from the state old age insurance fund; and providing for the reports of Old Age Insurance Commission to the Legislature; and repealing Chapter 72, Session Laws 1923, and all Acts or parts of Acts in conflict herewith."	141, 269, 313, 324, 367, 572, 676.
118	A Bill for an Act entitled: "An Act relating to actions quieting title to personal property; providing where such actions may be brought; and providing for the procedure which shall be made applicable thereto."	142, 243, 268, 323, 325, 343, 344, 377, 396, 423, 486, 548, 550, 551, 560, 561, 591, 633.
119	A Bill for an Act entitled: "An Act to amend Section 8344, Revised Codes of Montana, 1921, relating to priority of mechanics' lien over mortgage."	151, 218, 239, 253, 262, 274.

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120	A Bill for an Act entitled: "An Act to define osteopathy and to authorize and regulate the practice of osteopathic physicians and osteopathic surgeons and to provide penalties for the violation of this Act, and to repeal Sections 3125 to 3137 inclusive of the Revised Codes of Montana of 1921 and Chapter 79 of the Session Laws of 1925, and all Acts and parts of Acts in conflict herewith."	151, 350, 351, 390, 398, 435, 477, 479.
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121	A Bill for an Act entitled: "An Act to amend Section 1760 of the Revised Codes of the State of Montana for the year 1921, amended by Chapter Thirty-eight, Laws of the Extraordinary Session of the Twenty-third Legislative Assembly, relating to the registration and registration fees of motor vehicles and dealers thereof and distribution of the revenues received therefrom."	151, 599.
122	A Bill for an Act entitled: "An Act relative to the qualifications of Superintendents or Principals of high schools."	151, 187.
123	A Bill for an Act entitled: "An Act to appropriate money for the refund of excessive inheritance tax collection by the State of Montana from Robert Duncan Forbes and directing the State Auditor to draw his warrants upon the general fund and the common school equalization fund of the State of Montana for payment thereof."	152, 498, 532, 576, 588, 602, 638, 658, 659, 682, 731, 752, 766, 800.
124	A Bill for an Act entitled: "An Act relating to the tenure of leases of state lands for grazing purposes, heretofore issued by virtue of the provisions of Chapter 42 of the Laws of 1933; providing for the extension thereof."	152, 312, 348, 388, 389, 410, 437, 461, 462, 518, 558, 584, 634, 647, 648, 686, 727, 765.
125	A Bill for an Act entitled: "An Act to amend Sections Two (2) and Four (4) of Chapter Twenty (20) of the Laws of 1931 requiring that any board, council, commission, trustees or body acting for the state or any county or municipality or any public body, who shall contract with any person or corporation to do any work for the state, county, municipality or other public body, to require a good and sufficient bond therefor, and providing the terms, conditions and provisions of said bond, and prescribing the liability	

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	of the state or any county or municipality or public body for failure to take such bond and repealing all Acts or parts of Acts in conflict herewith."	152, 325, 326, 334, 348, 366, 367.
Sub. 125	A Bill for an Act entitled: "An Act to amend Chapter Twenty (20) of the Laws of the Twenty-second Legislative Assembly of the State of Montana, requiring that any board, council, commission, trustee or body acting for the state or any county or municipality or any public body, who shall contract with any person or corporation to do any work for the state, county, municipality or other public body, to require a good and sufficient bond therefor, and providing the terms, conditions and provisions of said bond, and prescribing the liability of the state or any county or municipality or public body for failure to take such bond and repealing all Acts or parts of Acts in conflict herewith."	367, 378, 379, 581, 625.
126	A Bill for an Act entitled: "An Act to provide an additional gasoline dealers' license tax, providing the amount and method of collection thereof and how the revenues derived therefrom will be distributed."	152, 312, 598, 599.
127	A Bill for an Act entitled: "An Act relating to machine guns, and their association with crime of violence as herein defined, providing presumptions respecting the use or possession thereof, search warrants for machine guns, registration of the same, and to make uniform the law with reference thereto."	152, 187, 208, 238, 250, 264, 265, 281, 316, 334, 373, 499, 512, 541, 574, 591.
128	A Bill for an Act entitled: "An Act to amend and supplement Sections 1999 and 2000 of the Revised Codes of Montana of 1921, relating to the classification of property for taxation and the basis for imposition of taxes."	152, 260.
129	A Bill for an Act entitled: "An Act to amend Sections 5 and 10 of Chapter 155 of the Laws of the Twenty-third Legislative Assembly of the State of Montana relating to the operation, maintenance, opening or establishment of stores in this state, prescribing the license and filing fees to be paid therefor, and the disposition thereof, and the powers and duties of the State Board of Equalization in connection therewith, and prescribing penalties for the violation thereof, said amendment being for the purpose of changing the fees and the disposition thereof."	153, 170, 542.

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130	A Bill for an Act entitled: "An Act to amend Section 9629, Revised Codes of Montana of 1921, relating to appearances in Justice Court.".....	162, 210, 250, 271, 303, 304, 331, 396, 423, 468, 473.
131	A Bill for an Act entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Article 12, Section 2, relating to revenue and taxation, providing that improvements on land other than city and town lots be exempt from taxation."	163, 540.
132	A Bill for an Act entitled: "An Act to amend Section 1998 Revised Codes of Montana, 1921, relating to exemption from taxation.".....	163, 197.
133	A Bill for an Act entitled: "An Act to amend Section 3651 of the Revised Codes of Montana, 1921, relating to the membership and terms of the State Fish and Game Commission, said amendment relating to the removal and appointment of such commission by the Governor.".....	163, 508.
134	A Bill for an Act entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Article 11, Section 11, relating to the State Board of Education and providing for their election."	163, 540.
135	A Bill for an Act entitled: "An Act creating a fund to be known as the volunteer firemen's compensation fund; declaring such fund to be a trust fund and providing for disposition of interest thereon; providing for the payment from said fund of compensation for disabilities received by members of regularly organized fire companies in unincorporated towns and cities; providing the amount of compensation payable; providing for the filing of claims for disability; providing the administration of such fund by the Industrial Accident Board of the State of Montana; amending Section 2761 Revised Codes of Montana, 1921, to provide for transfer of unused funds of State Fire Marshal fund into volunteer firemen's compensation fund; providing penalties for filing of false claims; and repealing all Acts and parts of Acts in conflict herewith."	170, 288, 328, 367, 368, 383, 385, 421, 473, 636, 658, 682, 728, 730, 736, 752, 766, 800.
136	A Bill for an Act entitled: "An Act providing for the conversion of building and loan associations and other home financing organizations into Federal savings and loan associations, prescribing the procedure therefor, defining the results thereof	

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	and providing for the indebtedness of such association."	172, 197, 226, 270, 286, 292, 317, 396, 420, 421, 423, 741, 755, 766, 773, 785, 813, 814, 815, 829, 831.
137	A Bill for an Act entitled: "An Act to amend Section 4462 of the Revised Codes of Montana, 1921, as amended by Chapter 35 of the Laws of the Twenty-first Legislative Assembly of the State of Montana for the year 1929, relating to time of regular meetings and extra sessions of Boards of County Commissioners."	172, 259, 294, 381, 389, 390, 440, 614, 615, 653, 686, 740, 756, 759, 767, 803, 825, 828.
138	A Bill for an Act entitled: "An Act defining the duration of liens of mortgages upon real estate, and the manner of the extension thereof, and amending Section 8267, of the Revised Codes of Montana of 1921 as amended by Chapter 104 of the Session Laws of the Twenty-third Legislative Assembly of the State of Montana of 1933."	180, 209, 226, 232, 239, 254, 256, 506.
139	A Bill for an Act entitled: "An Act relating to licenses for hunting and taking fish within the State of Montana."	180, 242, 268, 323, 325, 345, 377, 395, 423, 486, 516, 549, 555, 558.
140	A Bill for an Act entitled: "An Act to amend Section 3653, Revised Codes of Montana, 1921, relating to the powers and duties of the State Fish and Game Commission."	180, 242, 268, 323, 339, 367, 383, 386, 421, 628, 637, 658, 682, 728, 755, 797, 840, 841, 847, 849.
141	A Bill for an Act entitled: "An Act to regulate the nomination and election of all county officers enumerated in Section 4725 R. C. M. 1921; providing for a primary ballot and a general election ballot without party designation for the nomination and election of all such officers; providing the form of nominating petitions for the offices aforesaid; designating the form and arrangement of ballots to be used at said election; adapting the provisions of existing primary and general election laws to the elections provided for in this Act, and repealing all Acts and parts of Acts in conflict herewith."	180, 307, 308.

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142	A Bill for an Act entitled: "An Act to amend Chapter 49 of the Extraordinary Session of the Twenty-third Legislative Assembly of the State of Montana, relating to exemptions from attachment, providing that in certain actions no writ of attachment shall be issued and levied upon or against certain wages and earnings of the debtor or defendant for his personal services rendered within a certain time, and providing that such wages and earnings are exempt from attachment, and to repeal Section 9429 Revised Codes of Montana, 1921, as amended by Chapter 3, Session Laws of the Twenty-third Legislative Assembly, 1933."	180, 274, 313, 324, 325, 367, 368, 383.
143	A Bill for an Act entitled: "An Act to amend Sections 3681 and 3704, Revised Codes, Montana, 1921, as amended by Chapter 59 of the Laws of the Twentieth Legislative Assembly of the State of Montana, relative to definitions of fur-bearing and predatory animals, and the open and closed season on fur-bearing animals."	183, 241.
144	A Bill for an Act entitled: "An Act providing for the registration of professional engineers, creating a Board of Engineering Examiners and defining their duties, fixing the fees for registration fund and fixing the penalties for violation."	183, 326, 369, 388, 389, 450, 454, 494, 634, 658, 659, 670.
145	A Bill for an Act entitled: "An Act to repeal Chapter 12 of the Session Laws of the Twenty-third Legislative Session, 1933, defining nepotism and preventing such practice in the State of Montana and prescribing a penalty therefor."	183, 226.
146	A Bill for an Act entitled: "An Act to amend Sections 4 and 8 of Chapter 105, Session Laws of the Twenty-third Legislative Assembly, 1933, relating to the 'State Liquor Control Act of Montana,' administration of this Act, creation of board, and its powers and functions."	192, 314, 554, 614, 676, 687, 693.
147	A Bill for an Act entitled: "An Act declaring the policy of the state to establish a uniform system of free, public schools, and providing state support therefor, and for the distribution thereof, creating the state public school general fund."	192, 387, 437, 460, 485, 499, 545, 577, 629, 889, 895, 897, 898, 900, 911, 958, 959, 960, 973.
148	A Bill for an Act entitled: "An Act to secure the attendance of witnesses from without the state in	

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	criminal cases, providing summons with respect to such witnesses, exemptions from arrest and service of process, and to make uniform the law with reference thereto."	192, 257.
149	A Bill for an Act entitled: "An Act relative to instructions printed on election ballots.".....	192, 222, 226, 257, 271, 286, 292, 317, 330, 333.
150	A Bill for an Act entitled: "An Act to amend Section 10149, Revised Codes of Montana, 1921, providing that estates of less than Fifteen Hundred Dollars to go to wife and child, those less than Three Thousand to be summarily administered.".....	192, 214, 257, 273, 301, 323, 339, 356, 376, 468, 473.
151	A Bill for an Act entitled: "An Act to amend Section 10145, Revised Codes of Montana, 1921, providing that all property exempt from execution, including the homestead to be set apart for use of family."	192, 225, 372, 409, 462, 480, 483, 518, 586, 637, 656, 680, 727, 740, 800.
152	A Bill for an Act entitled: "An Act providing for the creation of a State Planning Board for the State of Montana and prescribing the powers and duties of said board; providing for the method for the appointment of the members thereof and making an appropriation therefor; and repealing Chapter 39 of the Extraordinary Session Laws of the Twenty-third Legislative Assembly.".....	192, 329, 419, 420, 596, 656, 701, 702, 712, 717, 718, 741, 826, 828, 933, 942, 943, 946, 953, 954, 974.
153	A Bill for an Act entitled: "An Act amending Section 3694 of the Revised Codes of Montana as amended by Chapter 59, Laws of the Twentieth Legislative Assembly of the State of Montana, 1927, as amended by Chapter 162, Laws of the Twenty-second Legislative Assembly, 1931, relating to the restrictions of the manner of taking and possessing fish and game, and granting and giving to the State Fish and Game Commission of the State of Montana, authority to change or suspend closed seasons on game birds and animals, game fish and fur-bearing animals, so as to meet existing conditions, and also, to make and promulgate rules and regulations for the killing, taking, capturing and possessing of game fish, game birds, game and fur-bearing animals; prescribing penalties for a violation of this Act and repealing all Acts and parts of Acts in conflict with the provisions hereof.".....	193, 351, 352.

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154	A Bill for an Act entitled: "An Act to amend Section 3722, Revised Codes of Montana, 1921, as amended by Section 19, Chapter 59 of the Laws of the Twentieth Legislative Assembly of the State of Montana, relative to the protection and trapping of beaver."	193, 275, 276, 301.
155	A Bill for an Act entitled: "An Act providing that upon conviction for crime, in addition to the punishment prescribed, and as a part of the sentence, the court may impose upon the defendant the duty to pay the whole or any part of the disbursements of the prosecution, limiting amount in courts not of record, and providing for its collection by execution or enforcement in the same manner as the sentence."	193, 295.
156	A Bill for an Act entitled: "An Act amending Sections 4 and 8 of Chapter 104, Laws of 1929, of the 21st Legislative Assembly of the State of Montana relating to the practicing or teaching of beauty culture."	193, 251.
157	A Bill for an Act entitled: "An Act for a bill requiring all banks doing business in the State of Montana to furnish an annual report of unclaimed deposits on the first day of March of each year after the passage and approval hereof to the Superintendent of Banks and providing for the publication of the names and addresses of each person and providing for an examination by the Bank Examiner of the books of the bank at least thirty days prior to March first of each year for the purpose of discovering all unclaimed deposits in either a general checking savings account or otherwise or held upon certificates of deposit or in any other way by said banks and being unclaimed for a period of seven years or more prior to March first of each year and providing further for the payment of all funds unclaimed deposits for said period of time into State Treasury and upon proper distribution to the County Treasury where said bank or banks may be situated to be paid into a fund known as the old age pension fund, the Montana teachers' welfare fund and upon the failure of an old age pension fund to be divided equally between the mothers' pension fund and widows' pension fund."	193, 241, 467.
158	A Bill for an Act entitled: "An Act to amend Section 9309 of the Revised Codes of Montana, 1921, relating to moneys paid to the Clerk of the District Court as trust funds, providing for the procedure to be followed in the receipt and disbursement of the same, and the disposition to be made of unclaimed balances."	193, 218, 371, 372.
Sub. 158	A Bill for an Act entitled: "An Act to amend Section 9309 of the Revised Codes of Montana, 1921,	

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	relating to moneys paid to the Clerk of the District Court as trust funds, providing for the procedure to be followed in the receipt and disbursements of the same, and the disposition to be made of unclaimed balances."	372, 379, 409, 480, 499, 514, 560, 627, 628.
159	A Bill for an Act entitled: "An Act to amend Section 11874 of the Revised Codes of the State of Montana, of 1921, relating to departures from the form or mode prescribed by the Penal Code of the State of Montana in respect to pleadings and proceedings."	194, 296.
160	A Bill for an Act entitled: "An Act to amend Section 12000 of the Revised Codes of the State of Montana, of 1921, relating to procedure in cases where a juror is unable to perform his duties by reason of sickness."	194, 275, 313, 324, 348, 357, 376, 473, 486, 548, 551, 571, 572, 608, 627, 737.
161	A Bill for an Act entitled: "An Act to amend Section 11853 of the Revised Codes of the State of Montana, of 1921, relating to the sufficiency of indictments and information and to defects and imperfections therein."	194, 372.
162	A Bill for an Act entitled: "An Act relating to the preparation of transcript on appeal in criminal cases, the filing thereof, authorizing the Appellate Court to extend time for filing transcript, and repealing Section 12116 R. C. M. 1921, relating to duty of Clerks upon appeal, and all other Acts and parts of Acts in conflict herewith."	194, 275, 313, 324, 325, 367, 383, 384, 421, 517, 520.
163	A Bill for an Act entitled: "An Act to amend Section 12109 of the Revised Codes of Montana of 1921, relating to the time appeals may be taken to the Supreme Court in criminal cases, and repealing all Acts and parts of Acts in conflict herewith."	194, 275, 313, 324, 325, 339, 356, 376, 473, 486, 516, 549, 555, 558, 651.
164	A Bill for an Act entitled: "An Act to amend Section 11973 of the Revised Codes of the State of Montana of 1921, relating to separate trials of defendants jointly charged with a public offense." ..	194, 275, 313, 324, 325, 339, 357, 376, 468, 473.
165	A Bill for an Act entitled: "An Act to amend Section 11906 of the Revised Codes of the State of	

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	Montana of 1921, relating to objections forming grounds of demurrer and when such objections may be taken."	194, 464.
166	A Bill for an Act entitled: "An Act to amend Section 12011 of the Revised Codes of the State of Montana of 1921, being a part of Chapter 26 of Part II, of the Criminal Code of the State of Montana relating to conduct of jury after submission of the case and relating to what papers the jury may take with them upon retiring for deliberation upon their verdict."	194, 296.
167	A Bill for an Act entitled: "An Act to amend Section 11971 of the Revised Codes of Montana of 1921, relating to presumption of innocence, and defining the words 'reasonable doubt,' and providing that no further instructions need be given a jury in a criminal action upon the subjects herein mentioned."	194, 296.
168	A Bill for an Act entitled: "An Act to amend Section 11847 of the Revised Codes of Montana of 1921, which provides that an indictment or information must charge but one offense except where it is committed by different means, and providing that other offenses, if connected in their commission or of the same class, may be charged in separate counts, and authorizing consolidation of indictments or informations, and providing for the procedure in the trial if several counts or offenses are charged, and repealing all Acts and parts of Acts in conflict herewith."	194, 296.
169	A Bill for an Act entitled: "An Act to amend Section 11870 of the Revised Codes of the State of Montana, being a part of Chapter 17, of Part II, of the Criminal Code of the State of Montana, relating to rules of pleading and forms of the information and indictment and relating to the variance between the charge contained in the indictment or information and evidence offered in proof thereof, and providing that no variance between the statement contained in the indictment or information and the evidence offered in proof thereof shall be grounds for acquittal."	195, 372.
170	A Bill for an Act entitled: "An Act creating a highway patrol for the State of Montana which shall operate under the direction and supervision of the maintenance department of the State Highway Commission; providing for its organization, operation, regulation, powers and duties; providing for the expense and maintenance of same; providing for the disposition of fines and forfeitures collected in enforcing state highway statutes and regulations; providing penalties for the	

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	violation of this Act; and repealing all Acts and parts of Acts in conflict herewith.".....	203, 621, 675, 711, 712, 716, 741, 854, 895.
171	A Bill for an Act entitled: "An Act to prohibit the offering or giving of prizes for any game or fish taken within this state and providing for penalties for the violation thereof.".....	203, 242, 268, 323, 367, 383, 384, 385, 421, 741, 755, 765, 790, 811, 828, 893.
172	A Bill for an Act entitled: "An Act providing for county support of public schools, and for tax levies to provide the necessary revenue therefor, and for the transportation of pupils.".....	203, 353.
173	A Bill for an Act entitled: "An Act to amend Chapter 51 of the Session Laws of the Extraordinary Session of the Twenty-third Legislative Assembly, 1934, relating to the license tax on the gross proceeds of electricity and electrical energy, and providing for the distribution thereof.".....	203, 538, 575, 614, 630, 642, 659, 674, 678, 745, 846, 895.
174	A Bill for an Act entitled: "An Act declaring the purpose of the State of Montana to engage in the banking business and establish a system of banking under the name of the Bank of Montana operated by the state, and defining the scope and manner of its operation and the powers and duties of the persons charged with its management; making an appropriation therefor; and providing penalties for the violation of certain provisions thereof."	204, 329, 567, 568.
175	A Bill for an Act entitled: "An Act authorizing the extension of the term of existence of any corporation organized under any of the Laws of the State of Montana, providing the procedure therefor, and providing for the filing of certificate of such proceedings with the proper officers.".....	204, 296, 328, 367, 368, 383, 385, 386, 420, 421, 423, 424, 445, 480, 544.
176	A Bill for an Act entitled: "An Act to amend Sections 8276, 8277, 8278, 8279 and 8280 of the Revised Codes of Montana, 1921, relating to chattel mortgages, and providing for the expiration of the lien of chattel mortgages as to all persons, and specifying the fees and duties of the Secretary of State in connection with the administration of this Act."	204, 372.

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177	A Bill for an Act entitled: "An Act to amend Section 11149 of the Revised Codes of Montana, 1921, relative to the definition of lotteries."	204, 232, 257, 271, 286, 291, 317, 362, 377, 393, 445, 480, 544.
178	A Bill for an Act entitled: "An Act to amend Section 2434, Revised Codes of Montana, 1921, relative to licenses; said amendment being for the purpose of exempting agricultural fairs and veterans' organizations from the payment of licenses defined."	204, 232, 257, 271, 286, 292, 293, 317, 333, 365, 377, 396, 420, 499, 513, 541, 574, 591.
179	A Bill for an Act entitled: "An Act to amend Section 2430 of the Revised Codes of Montana, 1921, providing for licenses for premiums or bonuses for sale of merchandise."	204, 232, 257, 271, 286, 291, 292, 317, 361, 362.
180	A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 30 of the Laws of the Twentieth Legislative Assembly of the State of Montana, providing for the appointment, qualification and term of office of County Fair Commissioners, and defining their powers and duties."	204, 232, 257, 270, 323, 325, 344, 377, 488, 519, 557, 571, 572, 608, 627, 633.
181	A Bill for an Act entitled: "An Act to fix the minimum wage to be paid members of the police department of cities of the first and second class of the State of Montana, and those other cities and towns which have now elected, or shall hereafter elect to come under the provisions of Chapter 120 of the Session Laws of the Twenty-first Legislative Assembly of the State of Montana."	204, 360, 409, 462, 480, 484, 518, 559, 584, 634, 647, 648, 686, 727, 737.
182	A Bill for an Act entitled: "An Act to amend Section 12079, Revised Codes of Montana, 1921, relating to persons not entitled to probation of sentence, and repealing all Acts and parts of Acts in conflict herewith."	204, 226, 250, 270, 271, 303, 304, 305, 331, 396, 423, 486, 548, 549, 560, 561, 591, 633.

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183	A Bill for an Act entitled: "An Act to provide for the Torrens Land Title System and fixing penalties for violations of this Act.".....	214, 327, 387, 450, 476, 482, 499, 545, 564, 629, 739, 741.
184	A Bill for an Act entitled: "An Act relative to the open and closed season on bear.".....	215, 241, 242, 268, 323, 325, 344.
185	A Bill for an Act entitled: "An Act to amend Section 3697 of the Revised Codes of Montana, 1921, as amended by Chapter 192 of the Laws of the Nineteenth Legislative Assembly of the State of Montana, 1925, Chapter 59 of the Laws of the Twentieth Legislative Assembly of the State of Montana, 1927, Chapter 152 of the Laws of the Twenty-second Legislative Assembly of the State of Montana, 1931, and again amended by Chapter 123 of the Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933, relating to open season for deer, and providing penalties for the violation thereof."	215, 352, 383, 410, 505, 545, 577, 629, 845.
186	A Bill for an Act entitled: "An Act validating bonds, warrants and other evidences of indebtedness heretofore issued by any irrigation district in the State of Montana.".....	215, 466.
187	A Bill for an Act entitled: "An Act to amend Sections 44 and 45 of the Revised Codes of Montana, 1921, relative to the apportionment of the membership of the House of Representatives, the number to be elected from each county, and the number of votes that can be cast by each Representative."	215, 241.
188	A Bill for an Act entitled: "An Act empowering County Commissioners to advertise for and receive sealed proposals for burial or cremation of the deceased indigents of the county and let contracts pursuant thereto to the lowest responsible bidder."	215, 464, 532, 555, 565, 579, 580, 629, 633, 635.
189	A Bill for an Act entitled: "An Act to amend Section 6339 of the Revised Codes of Montana of 1921, as amended by Chapter Fifty-five of the Session Laws of the Twenty-second Legislative Assembly of the State of Montana, relating to the payment of death and annuity benefits upon lives of children; providing for the organization and operation of a branch of the Society for Children, and providing for the amount of benefits payable thereunder."	215, 269, 287, 324, 339, 355, 356, 376, 583, 585.

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190	A Bill for an Act entitled: "An Act to amend Section 2870, Revised Codes of Montana, 1921, relative to the definitions of injury; to provide for the payment of compensation for occupational diseases; to define occupational diseases; to allow claimants under this Act to present x-ray pictures, supplied by himself, at hearings; to amend Section 2899 Revised Codes of Montana, 1921, relative to the time claims must be presented; and to amend Section 2933 of the Revised Codes of Montana, 1921, as amended by Section 7, Chapter 177, of the Laws of 1929, relative to the employee's statement of injury."	215, 607, 674.
191	A Bill for an Act entitled: "An Act to amend Section 19 of Chapter 60 of the Laws of 1927, as amended by Chapter 151 of the Laws of 1933, and Sections 73 and 76 of Chapter 60 of the Laws of 1927, relative to exchange of state lands, the publication of notice of sale of state lands and regulating the sale thereof."	215, 312, 348, 388, 389, 410, 437, 460, 461, 518, 558, 584, 634, 647, 648, 686, 727, 791, 795, 811, 985.
192	A Bill for an Act entitled: "An Act to amend Section 2038, Revised Codes of Montana, 1921, as amended by Chapter 43 of the Laws of the Nineteenth Legislative Assembly of the State of Montana, 1925, relating to traveling expenses of Assessors and their deputies."	215, 307, 348, 388, 389, 419, 429, 494, 635, 637, 656, 680, 727, 737, 740.
193	A Bill for an Act entitled: "An Act making it unlawful for motor vehicles operating in this state to carry for the use of said vehicles auxiliary tanks containing gasoline or other motor fuel and providing a penalty for violation of this Act."	216, 645.
194	A Bill for an Act entitled: "An Act relative to the appointment of a pound master in counties wherein herd districts have been or shall be created; providing for impounding stock running at large in herd districts; providing for the collection of a fee by impounding such stock until the fee is paid, and the disposal of the revenues received therefrom; and providing for the compensation of the pound master."	216, 477.
195	A Bill for an Act entitled: "An Act to provide for the protection, welfare and assistance of aged persons in need and resident in the State of Montana; providing a method therefore, providing for the appointment of an Old Age Commission, an Old Age Assistance Board, and a Superintend-	

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	ent; providing an old age pension fund; providing for transfer of one-half of the poor fund of each county to such fund; providing penalties for the violation of the provisions of this Act, and repealing Chapter 72 of the Eighteenth Legislative Assembly of the State of Montana.".....	216, 382, 564, 565.
Sub. 195	A Bill for an Act entitled: "An Act for the payment of old age assistance; establishing a State Old Age Pension Commission, County Old Age Pension Commission; prescribing their duties as such; giving to said commission certain powers, duties and obligations; defining the qualifications of those entitled to receive old age assistance; providing for the manner of arriving at the amount thereof; providing for the administration of said Act, forms of applications; requiring counties to pay a portion of said assistance from county poor funds and providing for a levy therefor; providing funds for the State Old Age Pension Commission and establishing a special fund known as the state old age assistance fund; providing that aid from the United States Government in furtherance of this Act be placed in said fund; providing that the counties be refunded fifty per cent of the amount expended for assistance from said fund; providing for the investigation of claims, approval thereof, granting of assistance and to whom paid; providing for revocation and review of assistance grants; providing for the residence of applicants, and change of residence; providing for reports; prohibiting the assigning of grants; permitting under certain conditions claims to be made by the state and counties against the estate of deceased old age pensioners; providing for assignment of property by recipient of pensions; recovery of assistance payments; providing for the expenses incurred in carrying out the provisions of the Act; making certain acts fraudulent; and repealing all Acts in conflict herewith."	565, 575, 625, 676, 688, 697, 741, 802, 803, 828, 845, 846, 865, 866, 882, 895, 912, 913, 916.
196	A Bill for an Act entitled: "An Act for the recovery of attorney fees as damages in actions for recovery, benefits or money due under or by virtue of the terms of any written contract of insurance; providing that the jury may fix said attorney fees and allow them as damages in cases where there is found to be fraud, lack of diligence or vexatious delay on the part of the insurer."	216, 372, 373.
197	A Bill for an Act entitled: "An Act relative to the cancellation of gas and oil leases and providing a method therefor."	223, 641, 702, 711.

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198	A Bill for an Act entitled: "An Act to amend Section 14 of Chapter 46 of the Session Laws of the Twenty-third Legislative Assembly, 1933, relating to the regulation and location of beer licensee."	226, 314.
199	A Bill for an Act entitled: "An Act to amend Section 4740 of the Revised Codes of Montana of 1921 prohibiting certain officers from practicing law or acting as collection agents."	227, 619, 675.
200	A Bill for an Act entitled: "An Act providing for the levy and imposition of a gross income tax upon the privilege of engaging in occupation in the State of Montana; defining terms used in said Act; providing for exemptions and fixing the basis and rate of tax; prescribing the duties and powers of the State Board of Equalization in the administration of said Act; providing procedure and machinery for administration thereof; fixing the jurisdiction of the courts in connection with review and appeal under this Act; providing for regulatory measures for the enforcement of said Act; providing for the distribution of said tax; providing penalties for the violation hereof and making appropriations and creating reserve funds to carry out its purposes and administration and repealing Chapter 181 of the Laws of the Twenty-third Legislative Assembly, 1933, Chapter 40 of the Extraordinary Session of the Twenty-third Legislative Assembly and all other Acts and parts of Acts in conflict herewith."	227, 233, 436, 499, 528, 614, 632.
201	A Bill for an Act entitled: "An Act creating Municipal Courts in cities, defining the jurisdiction thereof; providing rules of practice therein; providing for the election and qualifications of Judges thereof, and the salary and use of office of Judges. Abolishing certain Police Courts; repealing Section 4929, Revised Codes of Montana 1921; amending Section 9716 Revised Codes of Montana 1921, and repealing all Acts and parts of Acts in conflict herewith."	227, 590, 649, 676, 702, 709, 710, 741, 826, 845, 846, 865, 867, 881, 882, 893, 933.
202	A Bill for an Act entitled: "An Act to amend Section 6236 of the Revised Codes of Montana of 1921 as amended by Chapter 145, Laws of the Eighteenth Legislative Assembly of the State of Montana, 1923, relating to official bonds required of public officers."	227, 260, 273, 323, 325, 344, 377, 396, 423, 473, 486, 516, 549, 558, 574.

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203	A Bill for an Act entitled: "An Act to amend Sections 16 and 17 of Chapter 184 of the Laws of 1931 relating to the use of the public highways of the State of Montana by motor carriers.".....	227.
204	A Bill for an Act entitled: "An Act to amend Sections 12102 and 12103 Revised Codes of Montana, 1921, relating to punishment of death, how inflicted, providing for the use of lethal gas.".....	227, 287.
Sub. 204	A Bill for an Act entitled: "An Act to amend Sections 12102 and 12103 Revised Codes of Montana, 1921, relating to punishment of death, how inflicted, providing for the use of lethal gas.".....	287, 288, 313, 324, 325, 327, 329, 381, 389, 431, 494, 755, 756, 766, 767, 800, 804, 816, 840, 847, 883, 889, 893, 895, 901, 939, 940, 941, 961.
205	A Bill for an Act entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to the Constitution of the State of Montana by adding a new article thereto relating to the recall of all elective public officers; providing the procedure for such recall and for the election of the successors to such offices.".....	237, 544, 614, 676, 702, 706, 709, 741, 767, 978.
206	A Bill for an Act entitled: "An Act providing for the printing and binding of Supreme Court Decisions, Session Laws and Codes."	247, 313, 348, 388, 389, 419, 430, 494, 560, 585, 633, 728, 755, 797, 840, 841, 847, 849.
207	A Bill for an Act entitled: "An Act appropriating money in satisfaction and settlement of the claim of Marie C. Belcher for injuries sustained by her upon Project No. 269B of the State Highway Commission of the State of Montana on the twenty-first day of May, 1934, and directing the State Auditor to draw his warrant upon the state highway fund therefore in settlement of said claim upon payment of said warrant.".....	247, 620, 621.
208	A Bill for an Act entitled: "An Act to repeal Section 11521 Revised Codes of Montana, 1921, relative to the definition and punishment of vagrants."	247, 274, 301.
209	A Bill for an Act entitled: "An Act to amend Section 2705 of the Revised Codes of Montana, 1921, providing for the appointment, term of employment, compensation, qualifications and duties of	

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	electrical inspectors and providing further for the payment of inspection fees."	247, 326, 348, 388, 389, 419, 431, 494, 583, 586.
210	A Bill for an Act entitled: "An Act to assure financial responsibility of the owners and operators of motor vehicles to pay damages to others for bodily injuries, including death at any time resulting therefrom, arising out of the ownership, operation, maintenance, control or use upon the ways of the state of such motor vehicles; defining motor vehicle liability bonds and policies and fixing the limits thereof; providing for the deposit of cash or securities in lieu of procuring a motor vehicle liability bond or policy; requiring all persons who operate or permit a motor vehicle to be operated under Chapter 158 Session Laws of 1933 on the ways of the state to procure a motor liability policy or bond or to make such deposit; providing the form and provisions of such motor vehicle liability policies and bonds; providing for the cancellation of such policies and bonds and the procedure therefor; providing for the issuance of binders in lieu of such policies or bonds; providing that the Commissioner of Insurance shall establish reasonable and non-discriminatory premium charges to be used and charged by companies in connection with the issue and execution of the motor vehicle liability policies and bonds; providing for the review of the orders and findings of the Commissioner; providing for the establishment of a Board of Appeal on motor vehicle liability policies and bonds; providing for the review of orders of companies purporting to cancel motor vehicle liability policies or bonds by such board; providing for the review of the findings and orders of such board, providing that companies shall not refuse to issue policies or bonds because of the race or color of the applicant; providing that non-residents shall maintain policies of liability insurance after a period of thirty (30) days after the date of entry of the vehicle into the state or the acquisition by a non-resident of a regular place of abode within the state; providing when the liability on policies and bonds shall become absolute; and providing penalties for violations of the provisions of the Act."	247, 621.
211	A Bill for an Act entitled: "An Act providing for the establishment and operation of a central accounting department and central accounting system in and for the State of Montana for all departments, bureaus, institutions, boards and other agencies, and providing an appropriation to carry out the provision of this Act."	254, 326, 649.

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Sub. 211	A Bill for an Act entitled: "An Act providing for the establishment and operation of a central accounting department and central accounting system in and for the State of Montana, for all departments, bureaus, institutions, boards and other agencies, and providing an appropriation to carry out the provisions of this Act.".....	649, 650, 679, 681, 700, 702, 741, 765, 767.
212	A Bill for an Act entitled: "An Act relating to the segregation of taxes and assessments in special improvement districts when a part or portion of a lot or taxable unit is sold or conveyed; providing for the division of adjustment of such assessment between the vendee or subsequent owner and original owner; providing for the redemption from a tax sale or any lot or lots heretofore or hereafter made and the segregation of said delinquent assessment for that purpose and repealing all Acts and parts of Acts in conflict herewith."	254.
213	A Bill for an Act entitled: "An Act to amend Section 4819 Revised Codes of Montana, 1921, relative to the duties of County Attorney.".....	263, 552.
214	A Bill for an Act entitled: "An Act to amend Section 2214 of the Revised Codes of Montana of 1921 as amended by Chapter 85 of the Session Laws of 1927, relative to the validating of tax sales and deeds heretofore or hereafter made, defining the rights of original owners or claimants of property or of any interest therein or lien thereon, and of persons (including counties who have acquired or attempted to acquire or may hereafter acquire or attempt to acquire title to property under the tax sales, or their successors."	263, 533, 534, 608, 630.
215	A Bill for an Act entitled: "An emergency Act relating to the granting of relief from mortgage foreclosures and from execution sales of real estate; providing for extending the period of redemption from said mortgage foreclosures and execution sales, and designating the procedure to obtain such relief and the authority of courts in relation thereto; limiting the right to maintain actions for deficiency judgments; extending the expiration of certain periods of redemption, and repealing all Acts and parts of Acts in conflict herewith."	263, 552.
216	A Bill for an Act entitled: "An Act to amend Section 4916 of the Revised Codes of Montana of 1921, as amended by Chapter 111 of the Laws of the Twentieth Legislative Assembly and by Chapter 89 of the Laws of the Twenty-first Legisla-	

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	tive Assembly and by Chapter 121 of the Laws of the Twenty-third Legislative Assembly of the State of Montana, relating to the fees, mileage and expenses of Sheriffs."	263, 535.
217	A Bill for an Act entitled: "An Act providing for the reorganization of benefit associations; providing for a minimum membership fund and bond necessary before authorization to do business; providing for the amount and method of collecting membership fees; annual dues and assessments, and a fund for the payment of benefits to members or beneficiaries of members; providing conditions of issuance, revocation, and status of certificates of membership; providing certain exemptions; providing for the regulation thereof by the Insurance Commissioner; providing fees to be paid by said association; prohibiting foreign benefit associations doing business in this state; providing penalties."	263, 600.
218	A Bill for an Act entitled: "An Act to regulate and license the manufacture and sale, at wholesale or retail, of any and all alcoholic liquors or beverages in the State of Montana; providing for a license tax to be paid by wholesale or retail vendors other than the State of Montana, both as respects licenses issued by the state as well as by cities within the state; providing for the apportionment and distribution of fees collected or moneys earned in the administration of the law; declaring the policy of the law in the sale of alcoholic beverages; and repealing Chapter 105 of the Laws of 1933."	270, 271, 535, 614, 655, 687, 696, 697, 698, 705, 741, 755, 821, 825, 846, 847, 895.
219	A Bill for an Act entitled: "An Act appropriating money for the payment of the claim of Justin D. Lovely as indemnity for loss of time suffered by him as the result of tuberculosis contracted by him in the service of the State of Montana while an employee at the State Tuberculosis Sanitarium, at Galen, Montana, and providing for the method of paying the same; and for appropriating money for the payment of the claim of Justin D. Lovely for money due him for services rendered to the State of Montana as stockman and farmer at the State Tuberculosis Sanitarium, at Galen, Montana, and providing for the method of paying the same."	282, 497.
220	A Bill for an Act entitled: "An Act relating to the validity of certain conveyances or transfers of real or personal property to counties, cities, towns or municipal corporations, the considera-	

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	tion therefor, and limiting the time within which actions may be brought concerning the same.".....	282, 588, 625, 632, 647, 662, 685, 767, 768, 801, 813, 814, 829, 831.
221	A Bill for an Act entitled: "An Act to permit the payment of delinquent taxes, assessments, penalties and interest on real estate and certain personal property by installment payments, and repealing all Acts and parts of Acts in conflict therewith."	282, 352.
222	A Bill for an Act entitled: "An Act relative to the employment of teachers."	282, 352.
223	A Bill for an Act entitled: "An Act to amend Section 3683, Revised Codes of Montana, as amended, relative to the classes of fish and game licenses and to amend Section 3685, Revised Codes of Montana, 1921, as amended, relative to fees and powers under licenses."	283, 352, 383, 398.
224	A Bill for an Act entitled: "An Act relating to sales and conveyances of real property by the Board of County Commissioners; defining 'minerals' and 'real property' and permitting the board when making sales and conveyances of real property to reserve a per centum of the minerals therein or taken therefrom; providing that the person mining, producing, extracting or otherwise taking any minerals from real property in which a percentum of the minerals have been reserved shall pay to the owner or owners of the mineral reservations the fair market value of the reserved per centum of the minerals mined, produced, extracted or otherwise taken from such real property, which obligation shall run with the unreserved minerals; permitting the sale and conveyance of such mineral reservations or parts thereof; providing for the disposition of the proceeds from such mineral reservations or the sale thereof, and validating and confirming reservations, sales, conveyances and all contracts and agreements in connection therewith, which have been heretofore made."	283, 553, 614, 632, 647, 662, 663, 685, 767, 768, 800, 804, 816, 817, 818, 831, 832, 833, 849.
225	A Bill for an Act entitled: "An Act relating to hearings upon claims for compensation."	283, 312.
226	"An Act to amend Sections 2816, 2841, and 2911 of the Revised Codes of Montana of 1921, and to amend Section 2843 of the Revised Codes of 1921, as amended by Chapter 112 of the Session Laws of the Twenty-third Legislative Assembly	

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	of 1933; and to amend Section 2898 of the Revised Codes of Montana of 1921, as amended by Chapter 121 of the Session Laws of the Nineteenth Legislative Assembly of 1925; and to amend Section 2981 of the Revised Codes of Montana of 1921, as amended by Chapter 177 of the Session Laws of the Twenty-first Legislative Assembly of 1929; and to repeal Sections 2978, 2979, 2980, 2982, 2983, 2984, 2985, 2986, 2987, 2988 and 2989 of the Revised Codes of Montana of 1921; all relating to workmen's compensation; and to repeal all Acts and parts of Acts in conflict herewith, with certain reservations."	283, 478, 479, 565, 609, 615, 654, 686, 825, 826, 847.
227	A Bill for an Act entitled: "An Act prohibiting the sale of commodities in retail stores and wholesale warehouses on Sundays and holidays and between the hours of 6 o'clock P.M. and 9 o'clock A. M. of week days in cities and towns in this state containing more than twenty-five hundred inhabitants; defining terms used therein; stating exemptions from the provisions of the Act, and providing penalties for violations thereof."	283, 407, 476, 480, 485, 502.
228	A Bill for an Act entitled: "An Act to amend Sections 1135, 1136, 1137, 1139, and 1140 of the Revised Codes of Montana of 1921 relating to public schools, the compulsory attendance of children, the employment of children during school sessions, the appointment, powers and duties of truant officers, the schooling and relief of pauper children, the prosecution of truants, parents, guardians and employers for violation of the provisions of said section and providing penalties therefor."	288, 387.
229	A Bill for an Act entitled: "An Act authorizing the court to propose or declare rates, fares, charges, classifications, joint rates, regulations, practices or services which it deems reasonable as a guide to the Public Service Commission in all cases brought to set aside rates or charges fixed by the Public Service Commission."	288, 387, 409, 462, 482, 498, 505,
230	A Bill for an Act entitled: "An Act providing for the payments of expenses incurred in public utility investigations."	289, 387, 437, 476, 482, 498, 505, 545, 643.
231	A Bill for an Act entitled: "An Act authorizing the Public Service Commission to designate any one or more persons, whether in the regular employ of the commission or not, to make an inves-	

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	tigation into the reasonableness of the rates, charges and schedules of any public utility and to make an appraisal of the property of any public utility."	289, 386, 409, 462, 482, 498, 505, 528.
232	A Bill for an Act entitled: "An Act providing for standards for the grading of creamery butter; and to amend Section 59 of Chapter 39 of the Session Laws of 1933 relating to the regulations governing the purchase of milk and cream and providing for standards for the grading thereof; providing for grade purchase differentials; providing for the enforcement thereof and penalties for the violation thereof; and repealing all Acts and parts of Acts in conflict herewith.".....	289, 312, 348, 388, 389, 398, 437.
Sub. 232	A Bill for an Act entitled: "An Act providing for standards for the grading of creamery butter; and to amend Section 59 of Chapter 39 of the Session Laws of the Twenty-second Legislative Assembly, 1931, as further amended by Chapter 39, of the Session Laws of the Twenty-third Legislative Assembly, 1933, and to add to such Act two new sections, numbered 59A and 59B, said amendment and new sections relating to the following subjects: Regulations governing the purchase of milk and cream and providing for standards for the grading thereof; providing for grade purchase differentials; providing for the enforcement thereof and penalties for the violation thereof; and repealing all Acts and parts of Acts in conflict herewith."	437, 438, 511, 548, 574, 578, 629, 767, 802, 804.
233	A Bill for an Act entitled: "An Act to amend Sections 5 and 7 of Chapter 155, Session Laws of the Twenty-third Legislative Assembly, relating to license fees for opening, establishing and operating or maintaining one or more stores.".....	294, 538, 614, 642, 648, 651, 652, 686, 890, 893, 895, 900, 941, 942, 950, 967, 976, 977, 983, 984, 986.
234	A Bill for an Act entitled: "An Act regulating the operation of railroads within the State of Montana; providing for inspection of tracks, limiting the amount of track that can be inspected in one day by employees; and providing penalties for the violation of this Act.".....	301, 501, 565, 609, 614, 624.
235	A Bill for an Act entitled: "An Act to amend Section 520 of the Revised Codes of Montana of 1921 as amended by Chapter 146 of the 1933 Session	

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	Laws relating to the printing and distribution of reports of state officers."	302, 326, 348, 388, 389, 419, 429, 494, 633, 635.
236	A Bill for an Act entitled: "An Act providing for the enforcement of the laws governing the grading of hay in the State of Montana; providing for the inspection thereof and conferring certain powers and duties upon the Commissioner of Agriculture, Labor and Industry, and repealing Section 4231 of the Session Laws of 1931 and all other Acts conflicting herewith."	302, 330, 348, 388, 389, 419, 429, 430, 494, 520, 559, 585, 633, 728, 729, 736, 752, 766, 893.
237	A Bill for an Act entitled: "An Act to amend Section 4230 of the Revised Codes of Montana, 1921, relating to the sale of hay."	302, 330, 348, 388, 387, 419, 430, 494, 520, 559, 585, 633, 728, 729, 736, 752, 766, 893.
238	A Bill for an Act entitled: "An Act to amend Section 3 of Chapter 72 of the Session Acts of the Twenty-third Legislative Assembly of Montana of 1933, relating to the taking of fish in Lake and Flathead Counties."	302, 352, 383, 410, 437, 460, 518, 845.
239	A Bill for an Act entitled: "An Act of emergency relating to taxation and the regulating of the sale of property for taxes delinquent in the year 1934, and remitting the penalty for such delinquent taxes for said year if paid before October 1st, 1935."	302, 590.
240	A Bill for an Act entitled: "An Act relating to the licensing of the sale and distribution of beer and other similar beverages, and to amend Sections 13, 20 and 45, of Chapter 106, Laws of 1933, as amended by Sections 4, 8 and 15, of Chapter 46, Laws of the Extraordinary Session, 1934, relating thereto and adding thereto one new Section 4, relating to the method of refund of former license fee."	302, 556, 625, 676.
241	A Bill for an Act entitled: "An Act to appropriate money for the payment of the claim of Ford E. Hovey and Matt H. Tschirgi, as executors of the last will and testament of Frank M. Heinrich, deceased, for the payment of excess inheritance tax paid by the said executors."	302, 496, 497, 532, 576, 588, 601, 638, 659, 740, 754, 790, 811, 828, 893.

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242	A Bill for an Act entitled: "An Act providing for the levying of taxes for the payment of the interest and principal of outstanding bonds of counties, cities, towns and school districts, and providing penalties for the failure, neglect or refusal to make such interest and sinking fund levies as are required by law, and repealing Section 26 of Chapter 188, and Section 23 of Chapter 160, of the Laws of the Twenty-second Legislative Assembly, and Section 27 of Chapter 147 of the Laws of the Twentieth Legislative Assembly, and all Acts or parts of Acts in conflict herewith."	319, 324, 546.
243	A Bill for an Act entitled: "An Act to amend Sections 1, 5, 8 and 9 of Chapter 189, Session Laws of Montana, 1931, relating to the Montana egg industry, fixing the license fee thereof, and adding thereto two new sections prescribing standards for the grades of eggs and method of sale of cold storage eggs."	319, 353, 383, 410, 441, 460, 479, 485, 496, 502, 503, 559, 659, 740.
244	A Bill for an Act entitled: "An Act to provide state compensation for persons injured by motor vehicles on the highways of Montana; requiring the payment of a special fee by owners of motor vehicles to provide a fund for such compensation; providing schedules of compensation to be paid under the terms of this Act; defining the powers and duties of the Industrial Accident Board in relation to the administration of this Act; defining certain terms used herein; providing penalties for the violation of this Act and repealing all Acts in conflict herewith."	319, 631.
245	A Bill for an Act entitled: "An Act to amend Section 4465 Revised Codes of Montana, 1921, as amended by Chapter 95, Acts of the 18th Legislative Assembly, and by Chapter 54, Acts of 20th Legislative Assembly, and by Chapter 100, Acts of the Twenty-second Legislative Assembly, and by Chapter 74, Acts of the Twenty-third Legislative Assembly, relating to the general and permanent powers of Boards of County Commissioners."	319, 436, 499, 529, 548.
246	A Bill for an Act entitled: "An Act validating the organization of irrigation districts in the State of Montana and the bonds, warrants and other evidence of indebtedness heretofore issued by any such districts."	320, 467, 532, 575, 606, 610, 630, 639, 756, 767, 800, 815, 817, 840, 841, 849.

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247	A Bill for an Act entitled: "An Act defining the title conveyed by tax deed and amending Section 9 of Chapter 176 passed by the Twenty-third Legislative Assembly of the State of Montana at its Regular Session in the year 1933, and repealing all Acts and parts of Acts in conflict therewith."	320, 618, 702.
248	A Bill for an Act entitled: "An Act to appropriate money for the administration, operation and maintenance of the Montana Aeronautics Commission for the period beginning April 1, 1935, and ending June 30, 1937."	320, 329, 592, 598, 648.
249	A Bill for an Act entitled: "An Act providing for the regulation of aeronautics within the State of Montana; providing for uniformity with Federal laws regulating aeronautics and creating the State Aeronautics Commission; providing for the appointment of members thereof; defining the powers and duties of such commission, and providing for the promulgation and issuance of rules and regulations by such commission."	320, 592, 648, 674.
250	A Bill for an Act entitled: "An Act establishing the County Unit Plan for the organization, administration and support of the public schools of the state, creating county school districts and subdivisions thereof, defining the organization, administration and functions of such county school districts and subdivisions, abolishing certain school districts heretofore existing, disposing of their property and making provisions for the payment of their indebtedness, creating County Boards of Education for the administration of county school districts and Boards of Trustees for certain independent subdistricts, specifying their powers and duties, and providing for their organization and for the reorganization of existing boards to conform thereto, designating certain school administrative and supervisory officers and specifying their qualifications and manner of appointment, establishing a uniform system of school elections, requiring the preparation and adoption annually of school budgets, authorizing the making of tax levies for the support of the schools of the several counties, and repealing certain sections of the Revised Codes of Montana of 1921, and certain Acts of the Legislative Assembly of the state, and all other Acts and parts of Acts in conflict herewith and providing for county support of public schools, and for tax levies to provide the necessary revenue therefor, and for the transportation of pupils."	320, 435.
Sub. 250	A Bill for an Act entitled: "An Act establishing the County Unit Plan for the organization, administration and support of the public schools of	

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	the state, creating county school districts and subdivisions thereof, defining the organization, administration and functions of such county school districts and subdivisions, abolishing certain school districts heretofore existing, disposing of their property and making provisions for the payment of their indebtedness, creating County Boards of Education for the administration of county school districts and Boards of Trustees for certain independent subdistricts, specifying their powers and duties, and providing for their organization and for the reorganization of existing boards to conform thereto, designating certain school administrative and supervisory officers and specifying their qualifications and manner of appointment, establishing a uniform system of school elections, requiring the preparation and adoption annually of school budgets, authorizing the making of tax levies for the support of the schools of the several counties, and repealing certain sections of the Revised Codes of Montana, of 1921, and certain Acts of the Legislative Assembly of the state, and all other Acts and parts of Acts in conflict herewith, and providing for county support of public schools, and for tax levies to provide the necessary revenue therefor, and for the transportation of pupils.".....	435, 438, 608, 642.
251	A Bill for an Act entitled: "An Act establishing the County Unit Plan for the organization, administration and support of the public schools of the state, creating county school districts and subdivisions thereof, defining the organization, administration and functions of such county school districts and subdivisions, abolishing certain school districts heretofore existing, disposing of their property and making provisions for the payment of their indebtedness, creating County Boards of Education for the administration of county school districts and Boards of Trustees for certain independent subdistricts, specifying their powers and duties, and providing for their organization and for the reorganization of existing boards to conform thereto, establishing a uniform system of school elections, requiring the preparation and adoption annually of school budgets, authorizing the making of tax levies for the support of the schools of the several counties, and repealing Sections 985 to 991 inclusive, 995, 997 to 1002 inclusive, 1004 to 1008 inclusive, 1015, 1020 to 1039 inclusive, 1040 to 1048 inclusive, 1173, and 1181 to 1186 inclusive, Revised Codes of Montana, 1921, and all Acts amendatory thereof, or of any thereof, and all Acts and parts of Acts in conflict with this Act.".....	320, 435.
252	A Bill for an Act entitled: "An Act prohibiting the straying, grazing, or running at large of livestock on any fenced state highway of Montana;	

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	providing for herders while on state highway; providing for impounding and disposition of said livestock, and declaring an emergency to exist.".....	321, 427, 645.
253	A Bill for an Act entitled: "An Act to repeal Chapter 120 of the Session Laws of the Twenty-third Legislative Assembly of the State of Montana, Regular Session, 1933."	321, 391.
254	A Bill for an Act entitled: "An Act providing for certain notices to be given by County Commissioners in event of sale by county of real estate which the county had theretofore acquired by tax deed, and providing for right of redemption by last owners, judgment debtors, mortgagees, or assignees, of record."	321, 533.
255	A Bill for an Act entitled: "An Act to amend Section 3418, Revised Codes of Montana, 1921, relative to the appointment, term, and compensation of quartz mine inspectors. The said amendment to provide for the election of one such inspector, the appointment of a deputy when necessary and fixing their salaries."	321, 326, 348, 388, 389, 398, 434.
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256	A Bill for an Act entitled: "An Act to amend Sections 4462 and 4464, Revised Codes, Montana, 1921, relating to the meetings and compensation of Boards of County Commissioners."	327, 436, 437, 438, 440, 565, 614.
257	A Bill for an Act entitled: "An Act to amend Section 44 of Chapter 148 of the Session Laws of the Twenty-second Legislative Assembly of the State of Montana, as further amended by Chapter 156 of the Session Laws of the Twenty-third Legislative Assembly of the State of Montana, relating to district high schools, rent of quarters and transportation of high school pupils and authorizing a tax levy thereof."	334, 548, 555, 571, 625.
258	A Bill for an Act entitled: "An Act to promote the safe operation of motor vehicles; requiring certain motor vehicles to be equipped with safety glass; defining the terms used in this Act; prescribing the powers and duties of the Registrar of Motor Vehicles and the Public Service Commission in relation to the administration of this Act; authorizing the refusal of motor vehicle licenses and permits in certain cases and providing penalties for the violation of this Act."	335, 360, 409, 462.
259	A Bill for an Act entitled: "An Act to permit the payment of delinquent taxes, assessments, penal-	

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	ties and interest on real estate and certain personal property by installments payments, and repealing all Acts and parts of Acts in conflict therewith."	335, 557.
260	A Bill for an Act entitled: "An Act levying a license tax on all butterfat purchased in connection with the operation of creameries, cheese factories, ice cream factories, condensed milk factories and milk and cream buying and receiving stations."	335, 565, 614, 711, 713, 714, 741, 825, 827, 830, 846, 847, 895.
261	A Bill for an Act entitled: "An Act amending the Laws of Montana relating to state lands, providing for the prospecting for and mining of metalliferous minerals and gems in lands owned by the state or reserved in land sold or leased by the state; empowering the State Board of Land Commissioners to issue prospecting permits and leases for such purposes, and defining the powers of said board with respect to lands containing or supposed to contain such metalliferous minerals and gems, and repealing Sections 48, 49, 50 and 51 of Chapter 60 of the Laws of the Twentieth Legislative Assembly of Montana, constituting Part Five B of said chapter, as amended by Chapter 186 of the Laws of the Twenty-third Legislative Assembly, subject to the rights of permittees and lessees under permits and leases in good standing at the time of the passage of this Act, and repealing all other Acts and parts of Acts in conflict with this Act."	335, 596, 675.
262	A Bill for an Act entitled: "An Act to amend Section 1, Section 2, Section 3, Section 5, Section 6, Section 7, and Section 10 of Chapter 153 of the Laws of Montana of 1931, relating to the regulation and licensing the sale of commercial fertilizer, and providing for the inspection of fertilizer materials, and fixing penalties for the violation of the Act."	335, 383, 437, 462, 480, 483, 484, 518, 636, 658, 682, 731, 752, 766, 800.
263	A Bill for an Act entitled: "An Act relative to the employment by the House of Representatives of House reporters; defining their duties; and restricting the criticism of speeches of members of the House of Representatives by newspapers and other publications."	335, 391.
264	A Bill for an Act entitled: "An Act requiring the County Assessor annually to value and assess property in his county subject to taxation, and repealing Chapter 110 of the Session Laws of the	

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	Twentieth Legislative Assembly of the State of Montana, 1927."	335, 360, 390, 410, 450, 453, 454, 494, 557, 559.
265	A Bill for an Act entitled: "An Act to amend Section 1010 Revised Codes of Montana, 1921, as amended by Chapter 70 of the Session Laws of the Eighteenth Legislative Assembly of 1923, as further amended by Chapter 76 of the Nineteenth Legislative Assembly, 1925, as further amended by Chapter 77, of the Twentieth Legislative Assembly, 1927, as further amended by Chapter 102 of the Twenty-first Legislative Assembly, 1929, relating to transportation, board, rent, tuition of pupils of any school district or districts of the State of Montana, and providing for furnishing transportation, rent, board and tuition for such pupils and providing for appeal, and provided further that the Board of Trustees of any school district of the first class may at their discretion let a contract for the transportation of pupils in said district subject to the provisions hereinabove contained for a period not to exceed three consecutive school terms."	336, 547, 548, 614.
266	A Bill for an Act entitled: "An Act permitting injured workmen or public officer to file claim for compensation for alleged industrial accident injury and disability after the expiration of six months from the date of the happening of the accident, injury and disability and permitting notice thereof to be deemed given."	336, 477, 532, 555, 565, 579, 629, 633, 636.
267	A Bill for an Act entitled: "An Act to amend Sections 9397 and 9398, Revised Codes of Montana, 1921, relative to when new trials may be granted and on what papers motions can be made."	336, 372, 409, 485, 496, 503, 504, 559, 586, 637, 657, 728, 729, 730, 736, 752, 766, 800.
268	A Bill for an Act entitled: "An Act to amend Section 3842 of the Revised Codes of Montana of 1921, relating to the maintenance of signal bells at railroad crossings."	336, 500, 501.
269	A Bill for an Act entitled: "An Act to amend Section 6339 of the Revised Codes of Montana of 1921, as amended by Chapter 55 of the Session Laws of the 22nd Legislative Assembly of the State of Montana, relating to the payment of death and annuity benefits upon the lives of children; providing for the organization and operation of a branch of the Society for Children, and providing for the amount of benefits thereunder."	336, 479.

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270	A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 16 of the Session Laws of 1929, relating to the qualifications of police officers in the cities and towns in the State of Montana.".....	336, 546.
271	A Bill for an Act entitled: "An Act to amend Section 5085 of the Revised Codes of Montana of 1921, relating to the funding of judgments rendered against cities and towns.".....	336, 546.
272	A Bill for an Act entitled: "An Act to amend Section 3697 of the Revised Codes of Montana, 1921, as amended by Chapter 192 of the Laws of the Nineteenth Legislative Assembly of the State of Montana, 1925, Chapter 59 of the Laws of the Twentieth Legislative Assembly of the State of Montana, 1927, Chapter 152 of the Laws of the Twenty-second Legislative Assembly of the State of Montana, 1931, and again amended by Chapter 123 of the Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933, relating to open season for deer, and providing penalties for the violation thereof.".....	336, 588.
273	A Bill for an Act entitled: "An Act amending Section 1 of Chapter 179 of the Laws of the Twenty-second Legislative Assembly of the State of Montana of 1921; relating to the office of County Surveyors of each county; defining the powers and duties of County Surveyor; and providing for salaries."	337.
274	A Bill for an Act entitled: "An Act appropriating money for refunding the sum of One Hundred Thirty and No/100 Dollars (\$130.00) to the Columbia Casualty Company, a corporation.".....	337, 799.
275	A Bill for an Act entitled: "An Act appropriating money to pay a judgment of the Supreme Court of Montana in the sum of Five Thousand Three Hundred and Twenty-seven Dollars and Five Cents, with interest thereon from April 27, 1933, at the rate of six per cent per annum until paid, rendered and entered on April 27, 1933, against the State of Montana."	337, 496, 532, 576, 588, 603, 604, 638, 933, 942, 943, 948, 974.
276	A Bill for an Act entitled: "An Act relative to the establishment of water rates by a water plant owned by a city without the consent of the Public Service Commission."	337, 360, 390, 410, 427, 462, 485, 496, 504, 559, 633, 635.
277	A Bill for an Act entitled: "An Act to amend Sections 309 and 437 of the Revised Codes of Mon-	

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	tana, 1921, relating to the salary of the State Accountant."	353, 367, 390, 410, 437, 461, 518, 635, 637, 656, 680, 727, 737, 740.
278	A Bill for an Act entitled: "An Act to amend Section 19, of Chapter 181, Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933, relating to an Act providing for the levy and collection of an income tax, and eliminating the filing fee therefrom."	354, 539.
279	A Bill for an Act entitled: "An Act to amend Section 31, of Chapter 106, of the Session Laws of 1933, as amended by Section 11, of Chapter 46, of the Laws of the Extraordinary Session of the Twenty-third Legislative Assembly, 1933, relating to the regulation and sale of beer, and prohibiting the sale thereof to minors."	354, 392.
Sub. 279	A Bill for an Act entitled: "An Act prohibiting the sale of beer to minors and fixing the penalty therefor."	392, 405, 437, 480, 499, 513, 560, 628, 637, 657, 728, 738, 755, 820, 821, 831, 832, 833, 849.
280	A Bill for an Act entitled: "An Act to provide for the sale of spirituous and vinous liquors at wholesale by the State of Montana; creating the Montana Liquor Control Board, and providing for the operation thereof; providing for the issuance of licenses for the retail sale of such liquors in the State of Montana and providing for the distribution of moneys collected hereunder for schools, emergency relief, old age pensions and other purposes and validating any action of the Montana State Liquor Control Board prior to the passage of this Act."	354, 539.
281	A Bill for an Act entitled: "An Act relative to the prevention of the use of advertising defamatory to women or that would in any way expose the same to contempt, ridicule or defamation."	354, 387.
282	A Bill for an Act entitled: "An Act to amend Section 1760, of the Revised Codes of Montana for 1921, as amended by Section 1, of Chapter 103, of the Montana Session Laws of 1933, and to repeal Section 3, of Chapter 158, Session Laws of 1931, and amending Chapter 38 of the Extraordinary Session Laws of the Twenty-third Legislative Assembly of the State of Montana, relating to registration and registration fees of motor vehicles and dealers thereof, and distribution of the revenues received therefrom."	354, 625, 626, 687.

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283	A Bill for an Act entitled: "An Act regulating the hours of labor of drivers and attendants of motor trucks in the State of Montana; defining the term 'attendant' and fixing penalties for the violation of the provisions of this Act.".....	354, 406, 407, 477, 480, 484, 485, 518, 628, 637, 658, 740, 754, 895, 898, 907, 930, 974.
284	A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 17 of the Acts of the Twentieth Legislative Assembly of the State of Montana, as amended by Section 1 of Chapter 168 of the Acts of the Twenty-first Legislative Assembly of the State of Montana, and by Section 1 of Chapter 175 of the Acts of the Twenty-second Legislative Assembly of the State of Montana; providing a method by which refund or drawback may be obtained of license taxes paid on gasoline handled, and prescribing the procedure for obtaining refund or drawback."	354, 536, 608, 630, 649, 662, 669, 684, 826, 847, 856, 857, 881, 962.
285	A Bill for an Act entitled: "An Act appropriating money to carry out the intent and purpose of House Joint Memorial No. 3 of the Twenty-first Legislative Assembly providing for the erection of a statue or bronze memorial of Charles Marion Russell in the statuary hall of the Capitol building in Washington, D. C.".....	354, 596, 600.
286	A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 171 of the Session Laws of the State of Montana of 1933, relating to the leasing of state lands for oil and gas development.".....	354, 455, 641.
287	A Bill for an Act entitled: "An Act to amend Section 8 of Chapter 89 of the Laws of the Twentieth Legislative Assembly of 1927, relating to the amount of capital stock and surplus necessary to the procuring of certificate of authorization, for the establishment of a commercial bank, and providing further for the fixing of the amount of capital stock and surplus necessary in cities or towns of different population.".....	355, 591, 845.
288	A Bill for an Act entitled: "An Act to amend Section 7252 of the Revised Codes of Montana, 1921, and validating bonds, warrants and other evidences of indebtedness heretofore issued by any irrigation districts in the State of Montana.".....	355, 467.
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290	A Bill for an Act entitled: "An Act to amend Section 387 Revised Codes of Montana, 1921, relative to the term of office of a Notary Public.".....	355, 409.
291	A Bill for an Act entitled: "An Act to amend Section 8 of Chapter 104 of the Session Laws of the Twenty-first Legislative Assembly, 1929, relating to handicapped persons trained for cosmetology by the State Bureau of Vocational Rehabilitation."	355, 365, 386, 462, 480, 483, 518, 659, 740, 754, 764, 765, 791, 801, 893.
292	A Bill for an Act entitled: "An Act appropriating money for the State Highway Commission for the period beginning July 1, 1935, and ending June 30, 1937."	355, 566, 567, 614, 632, 649, 662, 669, 670, 684, 740, 744, 754, 790, 811, 828, 893.
293	A Bill for an Act entitled: "An Act providing educational opportunities for the children of soldiers, sailors, and marines who were killed in action or died during the World War."	355, 641, 702, 712, 716, 741, 803, 828, 845, 847, 856, 857, 881.
294	A Bill for an Act entitled: "An Act requiring license for the operation, maintenance, or establishment of any place of business, wholesale, or retail, bank or banks, store, or stores, grain elevator or elevators, meat market, or meat product markets, gasoline station, or gasoline stations, lumber yard, or lumber yards, whether selling and buying lumber and lumber products exclusively or not, and mercantile establishments of every	

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	kind and character, in this state, prescribing the license and filing fees to be paid therefor; and providing for the collection and disposition thereof, and the powers and duties of the State Director of Licenses, or State Treasurer in connection therewith, and prescribing penalties for the violation thereof; and declaring unlawful the operating, maintaining, opening or establishment of stores without a license; defining certain terms; providing for renewals of licenses; providing that the revenue derived shall be deposited fifty per cent (50%) in the Old Age Pension Fund of Montana, which may now be in existence, or, which may hereafter be created and fifty per cent (50%) in the general fund of the State of Montana.".....	366, 542.
295	A Bill for an Act entitled: "An Act to extend the open season for hunting elk in certain designated portions of Lewis and Clark County, and repealing all Acts and parts of Acts in conflict herewith."	366, 507, 575, 609, 614, 623, 624, 671, 845.
296	A Bill for an Act entitled: "An Act to prohibit any authority, state institution, board, bureau, commission or department of the State of Montana having charge or regulation or supervision of the disbursement or expenditure of the income provided for any such state institution, board, bureau, commission or department maintained in whole or in part by the state, from expending or contracting to expend, or ordering or requiring any inferior authority to expend, any amount in excess of the annual income from Legislative appropriation and other authorized sources and granting the Board of Examiners authority to decrease expenditures under appropriations within the limitations of this Act, and providing penalties for violation of this Act and for the removal from office or employment of persons violating this Act."	369, 373, 409, 462, 511, 545, 576, 577, 629, 658, 659, 685, 740, 755, 765, 790, 811, 828.
297	A Bill for an Act entitled: "An Act to amend Section 3722, Revised Codes of Montana, 1921, as amended by Section 19, Chapter 59 of the Laws of the Twentieth Legislative Assembly of the State of Montana, relative to the protection and trapping of beaver."	378, 500.
298	A Bill for an Act entitled: "An Act providing for the appointment of official motor vehicle inspection stations in the State of Montana under the State Highway Commission, eligibility for such appointment, providing for periodical in-	

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	specification of motor vehicles, trucks, trailers and semi-trailers and for the operation of official inspection stations, requiring owners and drivers of such vehicles to comply with the provisions of this Act, providing for the enforcement and administration thereof through the State Highway Commission, and making any violation of this Act a misdemeanor."	378, 534, 608, 630, 647, 666, 667.
299	A Bill for an Act entitled: "An Act defining 'cosmetics and kindred products'; providing a license to engage in the business of selling the same; providing a license tax on the retail price of such cosmetics or kindred products sold or given away; providing for the payment and distribution of such license fee and license tax and providing for the regulation of the sales thereof, the enforcement of such tax and license, and penalty for violation of this Act; and defining the duties of state and county officials."	378, 538, 614, 676.
300	A Bill for an Act entitled: "An Act to amend Section 182 of the Revised Codes of the State of Montana, 1921, as amended by Chapter 85 of the Session Laws of the Eighteenth Legislative Assembly, 1923, and as further amended by Chapter 180 of the Session Laws of the Twenty-first Legislative Assembly, 1929, relating to the depositing of funds in the hands of the State Treasurer; and providing for the security to be delivered by the banks designated as depositories by the State Depository Board."	378, 567, 646, 662, 673.
301	A Bill for an Act entitled: "An Act to amend Section 4767 of the Revised Codes of Montana of 1921, as amended by Chapter 89 of the Laws of the Eighteenth Legislative Assembly, and as further amended by Chapter 137 of the Laws of the Nineteenth Legislative Assembly, and as further amended by Chapter 134 of the Laws of the Twentieth Legislative Assembly, and as further amended by Chapter 49 of the Twenty-first Legislative Assembly, and as further amended by Chapter 23 of the Extraordinary Session of the Twenty-third Legislative Assembly, relating to the deposit of county, city and town funds."	378, 567, 646, 662, 673.
302	A Bill for an Act entitled: "An Act to amend Sections 1 and 16 of Chapter 166 of the Montana Session Laws of 1933 relating to amount of license tax of corporations and providing for the distribution thereof."	379, 647, 681, 686, 698, 701, 702.
303	A Bill for an Act entitled: "An Act to amend Chapter Forty-one (41) of the Session Acts of Montana of the Extraordinary Session of 1933-34	

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	providing a license tax on all persons, associations or corporations owning or operating a telegraph business in this state.".....	379, 468, 565, 609, 612, 701, 712, 715, 741, 890, 896, 897, 912, 913, 916.
304	A Bill for an Act entitled: "An Act to amend Section 8896, Revised Codes of Montana, 1921, to repeal the entire Sections 8900, 8901, and to amend Section 8905, relating to selection of trial jurors; to devise ways and means by which all taxpayers would have a chance to serve as jurors if so desired."	379, 391.
305	A Bill for an Act entitled: "An Act to amend Section 1, Chapter 17, of the Laws of the Twentieth Legislative Assembly of the State of Montana, as amended by Section 1, Chapter 168, of the Laws of the Twenty-first Legislative Assembly of the State of Montana, as amended by Section 1, of Chapter 175 of the Laws of the Twenty-second Legislative Assembly of the State of Montana; providing a method by which refund or drawback may be obtained of license taxes paid on gasoline handled, and prescribing the procedure for obtaining a refund or drawback, and providing for specific exemptions on gasoline tax as to counties."	379, 536.
306	A Bill for an Act entitled: "An Act to amend Section 2917, Revised Codes of Montana, 1921, as amended, relative to the medical and hospital services to be furnished by the Industrial Accident Board."	379, 607, 656.
307	A Bill for an Act entitled: "An Act to provide care of indigent and incurable invalids and for county relief therefrom and appropriations therefor.".....	379, 644.
308	A Bill for an Act entitled: "An Act to amend Section 5397 of the Revised Codes of Montana of 1921 relating to petitioning for the abandonment of the commission form of government in cities by decreasing the percentage of voters required to petition for abandonment and providing that the last mayoralty election shall be the basis of determining the number of electors for the purpose of the petition."	379, 541, 614, 649, 674, 677, 678, 740, 745, 756.
309	A Bill for an Act entitled: "An Act to amend Section 3378 of the Revised Codes of the State of Montana, 1921, relative to the liability of the owner or mortgagee of livestock for damages sustained by the owner or occupant of premises enclosed by legal fence."	380, 537, 608, 630.

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310	A Bill for an Act entitled: "An Act providing for the furnishing of official bonds by the State of Montana for all public officers, boards and commissions of the state and of each and every political subdivision thereof; providing for the creation of a Board of Official Bonds and of a fund to be known as the official bond liability fund; prescribing the duties and powers of said Board of Official Bonds, and prescribing the duties of all public officers in regard thereto, and for the adjustment and settlement of liabilities thereby, and to prevent any other manner of bonding public officials."	380, 581, 582, 620.
311	A Bill for an Act entitled: "An Act providing for the payment in certain cases of costs and expenses incurred in public utility hearings instituted upon complaint."	380, 386, 480, 498, 505, 532, 561, 562, 563.
312	A Bill for an Act entitled: "An Act relating to the presence of livestock unattended by a herder on certain highways, releasing owners and operators of motor vehicles from responsibility for damages or injuries to such livestock between one hour after sunset and one hour before sunrise; declaring such livestock to be a public nuisance; and providing that every person, whether as owner, agister, lessee, bailee, or otherwise, having the care, custody or control of any livestock, who suffers or permits the same upon such highway during said time shall be deemed negligent and liable for damage to property or injuries to persons caused by the presence of such livestock, or for damages or injuries caused by collision of motor vehicles and such livestock, or in attempting to avoid collision; also providing that the owner or operator of such motor vehicle shall not be liable to any passenger or other person riding therein, nor to his parent or guardian, for damages or injuries arising out of such collision."	380, 501, 502.
313	A Bill for an Act entitled: "An Act relating to agriculture seeds; amending Section 3594, Revised Codes of Montana, 1921, as amended by Section 1 of Chapter 110, Laws of the Twenty-first Legislative Assembly of the State of Montana, 1929, and amending Section 3599, Revised Codes of Montana, 1921, concerning the labeling requirements of agriculture seeds and mixtures and concerning samples sent to laboratory for tests."	380, 582, 625.
314	A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 45 of the Session Laws of the Twenty-third Legislative Assembly of 1933, relating to the appointment of the 'Montana Relief Commission'."	380, 622, 675.

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316	A Bill for an Act entitled: "An Act providing for reimbursing the United States Government for the expense of emergency conservation work if and when, by a sale of land or products, the state derives a profit from such work.".....	381, 501, 532, 555, 565, 578, 629, 767, 801, 804, 831, 832, 833, 849.
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321	A Bill for an Act entitled: "An Act to amend Section 4545, Revised Codes of Montana as amended by Chapter 30 of the Twentieth Legislative Assembly relating to the appointment, qualification, term of office, meetings and business of County Fair Commissioners."	383, 482.

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322	A Bill for an Act entitled: "An Act to amend Section 8259 of the Revised Codes of Montana 1921 as amended by Chapter 14 of the Laws of the Nineteenth Legislative Assembly of the State of Montana, relating to the recording and filing of assignments of mortgages and requiring that the same shall contain the post office address of the assignee and prohibiting the recording thereof unless containing such post office address, and to repeal Section 8260 of the Revised Codes of Montana, 1921."	384, 533, 608, 630, 641, 665, 685, 767, 768, 801, 856, 857, 881.
323	A Bill for an Act entitled: "An Act to provide for the recording of subordination agreements of waivers in favor of subsequent purchasers, encumbrancers or mortgagees in case of real estate mortgages and for the filing thereof in the case of chattel mortgages."	384, 535, 575, 609, 630, 641, 665, 666, 685, 711, 801, 802, 804, 856, 857, 881.
324	A Bill for an Act entitled: "An Act to amend Section 6 of Article V of the Constitution of the State of Montana, relating to sessions of the Legislative Assembly."	384, 508.
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329	A Bill for an Act entitled: "An Act to amend Section 5771, Revised Codes of Montana, 1921, relating to support of wife and children on divorce or separation granted to wife, and providing for modification of the judgment."	399, 466, 532, 576, 588, 600, 601, 638, 740, 744, 754, 764, 765, 791, 800, 801.
330	A Bill for an Act entitled: "An Act to amend Section 135 of the Revised Codes of Montana of 1921, as amended by Chapter 22 of the Laws of the Twenty-first Legislative Assembly of 1929, and Sections 303, 384, and 521 of the Revised Codes of Montana of 1921, relating to the distribution of public documents and reports.".....	399, 552, 649.
331	A Bill for an Act entitled: "An Act providing for the registration of public contracts, and defining the term public contractors; providing the method of obtaining a license to engage in the business of public contracting in the State of Montana; fixing the fee for such licenses and providing the method of suspension, cancellation, and reinstatement thereof; prescribing penalties for violation of this Act, and repealing Chapter 55 of the Laws of the Extraordinary Session of the Twenty-third Legislative Assembly of the State of Montana.".....	400, 468, 565, 609, 615, 653, 654, 686, 826, 845, 847, 881, 882, 893, 933.
332	A Bill for an Act entitled: "An Act relating to the furnishing of free textbooks to pupils attending school, public or otherwise, including high schools, within the State of Montana, and amending Section 1198, Revised Codes of Montana of 1921."	400, 687.
333	A Bill for an Act entitled: "An Act providing for the printing and distribution of the Revised Codes of Montana of 1935 and appropriating money therefor."	400, 596, 670, 681, 699, 712, 741, 767, 768, 801, 813, 814, 829, 831.
334	A Bill for an Act entitled: "An Act to amend Section 4461 of the Revised Codes of Montana of 1921, relating to the duties of the Board of County Commissioners."	100, 532.

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335	A Bill for an Act entitled: "An Act to amend Section 10 of Chapter 66 of the Session Laws of the Eighteenth Legislative Assembly of Montana of 1923, relating to the governing of the State Purchasing Department and the manner of purchasing supplies and allowing purchase of Montana produce or manufactured products under certain conditions and allowing a differential in price to be paid therefor."	400, 661, 702.
336	A Bill for an Act entitled: "An Act to amend Section 10170 of the Revised Codes of Montana, 1921, relating to the giving of notice to creditors in estates of deceased persons, providing when such notice need not be given; providing for the manner of giving such notice; and repealing all Acts and parts of Acts in conflict herewith."	400, 463, 532, 576, 588, 602, 638, 740, 744, 754, 810, 816, 831, 832, 833, 849.
337	A Bill for an Act entitled: "An Act to provide for the inspection and analysis of commercial feeding stuffs and by whom and to regulate the sale thereof in the State of Montana; to define the term commercial feeding stuffs; to provide for guarantees of the ingredients of commercial feeding stuffs and affixing labels to the packages thereof; to prohibit the sale of fraudulent or adulterated commercial feeding stuffs; to regulate and license the sale of commercial feeding stuffs; to fix the penalties for the violation of the provisions of this Act."	400, 617, 618, 702.
338	A Bill for an Act entitled: "An Act to amend Section 10040 of the Revised Codes of Montana, 1921, relating to the proceedings on the production of a foreign will; providing for the hearing of the petition for the probate thereof without notice; and repealing all Acts and parts of Acts in conflict herewith."	400, 463, 565, 576, 588, 602, 603, 638, 739, 741, 746, 766, 802, 828, 845, 856, 857, 881.
339	A Bill for an Act entitled: "An Act relating to the regulation of auctioneers, and to amend Sections 4147 and 4148, and to repeal Sections 4151, 4152, 4153, 4154, 4155 and 4156, Revised Codes of Montana, 1921."	401, 508.
340	A Bill for an Act entitled: "An Act to amend Section 2866 of the Revised Codes of Montana, 1921, as amended by Section 5 of Chapter 121 of the Nineteenth Legislative Assembly of 1925, relating to the Workmen's Compensation Law, defin-	

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	ing 'major dependent' and repealing all Acts and parts of Acts in conflict herewith.".....	401, 409, 437, 476, 480, 503, 559, 586, 637, 656, 680, 727, 737, 740.
341	A Bill for an Act entitled: "An Act to amend Section 10025 of the Revised Codes of Montana, 1921, relating to the notice of hearing of petition for probate of will; providing the notice to be given; the manner of giving notice; the length of time such notice shall be given; and repealing all Acts and parts of Acts in conflict herewith.".....	401, 463, 532, 555, 565, 578, 579, 629, 741, 755, 765, 790, 811, 828, 893.
342	A Bill for an Act entitled: "An Act levying an annual business tax on banks for the privilege of doing business; providing for the administration and enforcement; prescribing penalties for the violation thereof."	401, 567, 646, 662, 674.
343	A Bill for an Act entitled: "An Act creating a State Department of Public Relief and providing for the appointment, qualifications, terms of office, powers, duties and compensation of the Montana Relief Commission, the Montana Relief Administrator and the Secretary of the Montana Relief Commission; the establishment of a relief fund, defining the purposes and directing the administration thereof, and directing the distribution of moneys to said fund; appropriating a Million Five Hundred Thousand Dollars (\$1,500,000.00) per annum for the Montana Relief Commission, for a period beginning the first day of March, 1935, and ending the first day of March, 1937; appropriating to the use of the Montana Relief Commission herein created all funds heretofore appropriated to the use of the existing Montana Relief Commission; providing for the administration of Federal funds made available for the purposes set out in this Act; directing effective and efficient cooperation with Federal authorities or agencies or to be created by Act of Congress, or created or to be created by the executive of the United States or executive department thereof; providing for the keeping of records and reports of all disbursements made of such funds and moneys and a method of examination and audit of same; providing for the acquisition of property; providing for contracts with the United States, and repealing all of Chapter 45 of the Session Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933, and all of Chapters 20 and 56 of the Laws of the Twenty-third Extraordinary Legislative Assembly of the State of Montana, 1933-34, and	

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	all Acts or parts of Acts in conflict with this Act."	401, 615.
Sub. 343	<p>"An Act harmonizing, revising and codifying the sections of the laws heretofore passed relating to the Montana Relief Commission, and the emergency relief fund; creating a State Department of Public Relief and providing for the appointment, qualifications, terms of office, powers, duties and compensation of the Montana Relief Commission, the Montana Relief Administrator and the Secretary of the Montana Relief Commission; the establishment of a relief fund, defining the purposes and directing the administration thereof; turning over to the Montana Relief Commission herein created all property of the existing commission, and appropriating to the use of the Montana Relief Commission herein created all funds heretofore appropriated to the use of the existing Montana Relief Commission; providing for the administration of Federal funds made available for the purposes set out in this Act; or hereafter to be made available for the purposes set out in this Act; directing effective and efficient cooperation with agencies of this state and its Federal authorities or agencies created by Act of Congress, or created or to be created by the executive of the United States or executive department thereof; providing for the keeping of records and reports of all disbursements made of such funds and moneys and a method of examination and audit of same; providing for the acquisition of property; providing for contracts with the United States; appropriating Three Million (\$3,000,000.00) Dollars for the Montana Relief Commission, for a period beginning the second day of March, 1935, and ending the first day of March, 1937, and designating the sources thereof by amending Section 97 of Chapter 105, Section 49 of Chapter 106, Section 28 of Chapter 181 and Section 9 of Chapter 180 of the Laws enacted by the Twenty-third Legislative Assembly of the State of Montana (1933), in Regular Session Assembled, as amended by Section 1 of Chapter 57, Section 17 of Chapter 46, Section 2 of Chapter 40, and Section 2 of Chapter 52 respectively of the Laws enacted by said Legislative Assembly in Extraordinary Session and further by amending Section 9 of Chapter 41, Section 4 of Chapter 48, Section 3 of Chapter 51 and Section 10 of Chapter 55, of the Laws enacted by said Legislative Assembly in Extraordinary Session; and repealing all of Chapter 45 of the Session Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933, and all of Chapters 20 and 56 of the Laws of the Twenty-third Extraordinary Legislative Assembly of the State of Montana, 1933-34, and</p>	

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	all Acts or parts of Acts in conflict with this Act, and declaring an emergency.".....	615, 616, 687, 702, 711, 714, 715, 741, 933, 966, 974, 975, 982, 983, 986, 989, 990.
344	A Bill for an Act entitled: "An Act to amend Section 11005, Revised Codes of Montana, 1921, relating to lewd and lascivious acts upon children.".....	401, 465, 565, 614, 615, 653, 686, 740, 744, 754, 764, 765, 791, 800, 801, 964.
345	A Bill for an Act entitled: "An Act to amend Section 2819 of the Revised Codes of the State of Montana of 1921, relating to Industrial Accident Board, qualification of members thereof, compensation, term and salary."	401, 479.
346	A Bill for an Act entitled: "An Act to authorize the Trustees of any school district, the County Commissioners of any county or the City or Town Council of any city or town of the State of Montana to issue or grant oil and or gas leases on any or all land or lands under their control.".....	402, 507, 508, 575, 609, 614, 652, 686, 803, 828, 845, 865, 866, 881, 882, 893, 933.
347	A Bill for an Act entitled: "An Act to amend Section 2 and to repeal Sections 3, 4 and 5 of Chapter 119 Acts of the Twentieth Legislative Assembly of the State of Montana, and being an Act entitled: 'An Act creating the state common school equalization fund; providing what moneys shall constitute such fund; making the State Board of Education the Common School Equalization Board; providing for the powers and duties of said board; providing the method for determining the distribution of such fund and repealing all Acts and parts of Acts in conflict with this Act'."	402.
348	A Bill for an Act entitled: "An Act to amend Sections 715 and 716, of the Revised Codes of Montana, 1921, relating to voting by absent electors and electors who because of illness or other physical incapacities can not attend the polls; providing method of making application for official ballot by such persons and repealing all Acts and parts of Acts in conflict herewith.".....	402, 620, 631, 632.
349	A Bill for an Act entitled: "An Act to amend Sections 112, 4235 and 4237, Revised Codes of Montana, 1921, and Section 4, of Chapter 31, Laws of 1933, relating to the State Sealer of Weights and Measures and providing for the transfer of the	

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	Standards of Measure from the office of the Secretary of State to the Scale Division of the Department of Agriculture."	402, 570.
350	A Bill for an Act entitled: "An Act to amend Section 11159, Revised Codes of Montana, 1921, prohibiting gambling games, said amendment providing for the playing of certain games for amusement and pastime, and the use in places of business of trade stimulators upon the payment of a license to the County Treasurer, and providing a penalty for the violation thereof."	402, 481, 565, 576, 598, 604, 638, 756, 767, 800, 816, 824, 847, 883, 884, 895, 912, 913, 916.
351	A Bill for an Act entitled: "An Act making it mandatory upon the State Highway Commission to perform all highway construction work within the State of Montana, directly under the supervision of the Highway Commission by employing all labor on a 'day labor basis,' and providing further that the Highway Commission shall furnish all equipment and materials for the performance of said work and providing a penalty and forfeiture for failure to carry out the provisions of this Act."	402, 598.
352	A Bill for an Act entitled: "An Act relating to Deputy County Attorneys in counties of the sixth and seventh class, providing for employing special counsel in certain cases, and repealing all Acts and parts of Acts in conflict herewith."	402, 419, 477, 480, 485, 496, 504, 559, 560, 583, 586.
353	A Bill for an Act entitled: "An Act relating to the codification and general revision of the Laws of Montana, repealing Sections 222, 653, 736 through 756 inclusive, 1033, 1570 through 1575 inclusive, 1583 through 1602 inclusive, 2097 through 2110 inclusive, 2162, 2221, 2273 through 2293 inclusive, 2384 as amended by Chapter 186 of the Laws of 1925, 2385, 2386, 2387, 2388, 2389 as amended by Chapter 186 of the Laws of 1925, 2390, 2391, 2392 as amended by Initiative Measure Number 31, Laws of 1927, 2418, 2437, 2774, 3549, 5215, 5357 through 5365 inclusive, and 9982 through 9989 inclusive, of the Revised Codes of Montana of 1921."	402, 463, 565, 576, 598, 605, 638, 756, 767, 800, 816, 818, 831, 833, 849.
354	A Bill for an Act entitled: "An Act to amend Section 378 and Section 8796 of the Revised Codes	

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	of Montana of 1921, relating to the duties and salaries of the Justices of the Supreme Court.".....	403, 551.
355	A Bill for an Act entitled: "An Act to amend Sections 3651 and 3652 of the Revised Codes of Montana, 1921, relating to the members of the State Fish and Game Commission; providing for the division of the State of Montana into commissioner districts, the method of nominating and electing said commissioners; their terms of office, and the filling of vacancies; providing for the qualification of said commissioners, the organization of the board, the holding of meetings and the transaction of business; providing that present board to continue in office and present law to remain in effect until the election and qualification of the new board and repealing all Acts and parts of Acts in conflict herewith.".....	403, 500, 565, 609, 630, 642.
356	A Bill for an Act entitled: "An Act to amend Section 200 of the Revised Codes of Montana of 1921, relating to the salary of the Attorney General."	403, 508.
357	A Bill for an Act entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Section 9 of Article XIX of the Constitution of the State of Montana relative to the proposal of Constitutional Amendments, said amendment being for the purpose of changing the number of amendments allowed to be submitted at each election to ten."	403, 543, 614, 711.
358	A Bill for an Act entitled: "An Act making an appropriation for the purpose of paying claims for refund of inheritance taxes erroneously and illegally collected by the State of Montana.".....	403, 644.
359	A Bill for an Act entitled: "An Act providing for reversion to the Montana Soldiers' Home of money left by deceased members."	403, 409, 437, 476, 480, 484, 518, 559, 585, 634, 647, 648, 686, 727, 737, 816.
360	A Bill for an Act entitled: "An Act amending Section 3122 of the Revised Codes of Montana of 1921, relating to the practice of medicine; defining what Acts shall constitute such practice and providing penalties for the violation of said section."	403, 679, 680.
361	A Bill for an Act entitled: "An Act to amend Sections 1 and 7, of Chapter 104, of the Session Laws of 1929, relating to an Act to regulate the occupation of hair dressers and cosmetologists, providing rules for the teaching and licensing thereof."	403, 674.

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362	A Bill for an Act entitled: "An Act to reduce taxes on real and personal property by limiting the levies which may be made by Boards of County Commissioners and City and Town Councils and Commissioners for county, school and municipal taxes."	403, 651.
363	A Bill for an Act entitled: "An Act to repeal Sections 1761 and 1762 of the Revised Codes of Montana; 1921, relating to the licensing of chauffeurs and penalties for violations thereof."	404, 409, 552.
364	A Bill for an Act entitled: "An Act amending Section 1, of Chapter 65 of the Laws of the Eighteenth Legislative Assembly, 1923, relating to a tax on inheritances and transfers of property, said amendment providing for an extension of the time within which certain transfers shall be liable to taxation and for the determination of the time as to when such transfers will be presumed to have been made; adding certain duties to the State Registrar of Vital Statistics in connection with the report of deaths and to County Clerks in regard to reports to the State Board of Equalization of certain property transfers."	404, 538, 614, 679, 681, 700, 701, 741, 825, 826, 827, 890, 896, 900, 914, 915, 932, 948, 958, 974.
365	A Bill for an Act entitled: "An Act to preserve the coal resources of the State of Montana from too rapid exhaustion without corresponding benefit to the state and to classify methods of mining coal and to distinguish underground minings of coal from strip mining of coal and open pit mining of coal; and an Act to amend Sections 2316 to 2326, Revised Codes of Montana, 1921, as amended by the Session Laws of the Twenty-second Legislative Assembly of the State of Montana, requiring every person, firm, association, joint stock company and corporation, engaged in or carrying on the business of coal mining, or engaged in working or operating any mine or mining property in the State of Montana, from which coal is mined, produced or extracted, to pay to the State Treasurer for engaging in and carrying on such business by any method, certain license taxes for the exclusive use and benefit of the State of Montana; fixing the amount and disposition of such license taxes; prescribing a method for the assessment and collection thereof; and prescribing the penalties for the violations of the provisions of this Act."	404, 556, 557.
366	A Bill for an Act entitled: "An Act to enable the State of Montana to protect and conserve the musical instruments and musical library generously donated by W. A. Clark, Jr., in his lifetime,	

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	for the use of the prisoners confined in the State Prison at Deer Lodge; intended to take full advantage of the trust fund created by W. A. Clark, Jr., in his lifetime for the furnishing, repairing and supplying of musical instruments for the use of prisoners confined in the State Prison, so long as a band shall be maintained; and making appropriation for carrying out the purposes of this Act."	404, 672, 673, 712, 746, 792, 805, 806, 846, 933, 942, 943, 946, 953, 954, 974.
367	A Bill for an Act entitled: "An Act to amend Section 4917 of the Revised Codes of Montana of 1921 regulating the fees of County Clerks."	404, 534.
368	A Bill for an Act entitled: "An Act to repeal Section 170, Revised Codes of Montana, 1921, relating to the abstracting of life insurance policies."	404, 599.
369	A Bill for an Act entitled: "An Act establishing and defining the boundary line between Park and Carbon Counties."	404, 481.
370	A Bill for an Act entitled: "An Act to amend Section 715, Revised Codes of Montana, 1921, dealing with absent voters, providing for voting by electors necessarily absent from their precincts or unable to attend the polls because of physical disability; and to amend Sections 716 and 720, Revised Codes of Montana, 1921, and Section 717, Revised Codes of Montana, 1921, as amended by Section 1, Chapter 151, Laws of 1923, all relating to the application for an absent voter's ballot and to the form, mailing and return of such ballot."	404, 620.
371	A Bill for an Act entitled: "An Act to provide for the submission to the qualified electors of the State of Montana of an amendment to the Constitution of the State of Montana, adding thereto Article 9, Section 7 and 11 of the Constitution of Montana to prohibit the election of any person or persons holding office in any corporation, firm or company, or any attorney at law, or person or persons engaged in disreputable profession or occupation, to be elected to any legislative or administrative body, United States Senator, United States Representative, State Senator, State Representative, Governor, County Officers, City Officers, Town Officers, School Trustees, and prohibiting the appointment of any such persons by any officer so elected."	407, 541.
372	A Bill for an Act entitled: "An Act defining, licensing and regulating dealers engaged in buying, selling, warehousing or storing beans; defining the words 'commissioner,' 'warehouseman'	

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	or 'person,' 'beans' and 'storage' or 'warehousing'; defining transactions in beans; providing for licenses and date of expiration, amount thereof and disposition of fees; and providing for appeal; providing for bonds and amount thereof and fixing conditions and providing for recovery thereunder; providing for inspection; establishing grades; providing for records and reports; prescribing powers and duties of the Commissioner of Agriculture; providing for penalties for violation of Act; and providing for repealing of Chapter 55 of the Session Laws of 1933 and all Acts and parts of Acts in conflict herewith.".....	408, 446, 499, 528, 555, 574, 580, 629, 740, 744, 754, 755, 766, 773, 785, 786, 813, 814, 815, 829, 831.
373	A Bill for an Act entitled: "An Act to amend Section 5 of Chapter 178 of the Laws of the Twenty-third Legislative Assembly, 1935, relative to high school budgets."	408, 547, 614, 632, 647, 666, 685, 756, 768, 801, 831, 832, 833, 849.
374	A Bill for an Act entitled: "An Act to amend Sections 44 and 45, Revised Codes of Montana, 1921, relative to the apportionment of the membership of the House of Representatives, said amendment providing for a reapportionment based on the 1930 census on a ratio of one representative for each eight thousand population, or major fraction thereof."	408, 437, 462, 499, 500, 529, 532, 554, 555, 616.
375	A Bill for an Act entitled: "An Act to amend Section One (1) of Chapter Six (6) of the Session Laws of the Twenty-third Extraordinary Session, 1933-34, and any amendment thereof relating to and authorizing any county, city, town or school district having an outstanding valid indebtedness in an amount in excess of fifty per centum (50%) of the total indebtedness which it may lawfully incur under the provisions of the Constitution of the state limiting the amount of indebtedness which may be incurred by counties, cities, towns and school districts, to refund its outstanding bonded indebtedness and providing the method and procedure therefor, as amended by and under the provisions of Senate Bill No. 20 of the Regular Session of the Legislative Session of the Twenty-fourth Legislative Assembly of the State of Montana, 1935, herein particularly providing and extending the privileges of said Act to towns of less than one thousand inhabitants regardless of their relative percentage of total indebtedness to total	

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	assessed valuation, without qualification other than the certain three per centum provided generally by Section Six (6) of Article Thirteen (XIII) of the Constitution of the State of Montana."	408, 543, 614, 671, 679, 694, 741, 803, 828, 845, 856, 857, 881.
376	A Bill for an Act entitled: "An Act regulating the operation of railroads within the State of Montana, limiting the length of freight and passenger trains and providing penalties for the violation of this Act."	415, 565, 625, 671, 679, 694, 741, 847, 895.
377	A Bill for an Act entitled: "An Act appropriating money for the payment of the reward claim of Mrs. J. McNally, as compensation for aiding the State of Montana in the apprehension of the Sheridan, Montana, bank robber by revealing information which led to the conviction."	415, 672, 702, 711, 712, 715, 716, 741, 933, 942, 943, 946, 956, 973, 978.
378	A Bill for an Act entitled: "An Act relating to the sale of oleomargarine; defining same; providing for license and stamp tax; prescribing penalties for the violation thereof; and repealing Section 40, of Chapter 87, of the Session Laws of the Twenty-second Legislative Assembly."	415, 565, 649, 671, 676.
379	A Bill for an Act entitled: "An Act to empower and authorize and to make it the duty of the Public Service Commission in the fixing of just and reasonable rates charged or to be charged by public utilities to investigate, inquire into and consider the reasonableness and justness of all contracts, agreements and charges entered into or paid by such public utilities with or to other corporations, associations, firms or persons."	416, 447, 511, 528, 675, 679, 695, 696, 741, 802, 824.
380	A Bill for an Act entitled: "An Act giving the Public Service Commission power and authority to require public utilities to carry on their operations with safety to the public, to their customers and employees."	416, 447, 494, 511, 675, 687, 689, 690, 741, 894.
381	A Bill for an Act entitled: "An Act placing the burden of proof in all trials and proceedings before the Board of Railroad Commissioners or the	

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	Public Service Commission upon the railroad or utility."	416, 459, 516, 528, 672, 679, 696, 741, 802.
382	A Bill for an Act entitled: "An Act to amend Section 3783 and Section 3802, Revised Codes of 1921, relating to appointments to be made by the Board of Railroad Commissioners."	416, 459, 511, 528, 675, 679, 695, 742, 894.
383	A Bill for an Act entitled: "An Act providing for the payment of fees by railroads and public utilities based upon their gross operating revenue and making the Act retroactive so as to cover a fee for the gross revenue produced in 1934."	416, 509, 510, 575, 674, 686.
384	A Bill for an Act entitled: "An Act permitting any motor carrier authorized by the Board of Railroad Commissioners of the State of Montana to transport persons and/or property for hire over any public highway in the State of Montana, aggrieved by the cancellation and/or refusal of issuance of motor vehicle liability insurance policy or bond by any insurance or surety company authorized to do business within the State of Montana, to file complaint with the Commissioner of Insurance of the State of Montana, authorizing the Commissioner of Insurance after notice to the parties and public hearing held to make appropriate finding or findings and enter an order thereon; providing for an appeal to the District Court from the decision of the Commissioner of Insurance and for an appeal to the Supreme Court of the State of Montana from any decree of the District Court or a Judge thereof and authorizing the Commissioner of Insurance to revoke or suspend the license of any company failing to comply with his said order or decree of court entered upon appeal from his said order."	416, 509, 575, 672, 687, 690, 742, 894.
385	A Bill for an Act entitled: "An Act for the further regulation of public utilities, the recapture and disposition of operating income thereof in excess of a fair return, the supervision and regulation by the Public Utilities Commission of the annual budget of a public utility before certain expenditures are made, providing for the regulation and control of issuance of stocks, bonds, notes or other securities by public utilities, the assumption of liabilities, the purchase or sale of properties, merger or consolidation with another utility, and specifying what corporations may conduct a public utility business in Montana, defining affiliated interests, and providing for the regulation and supervision of contracts and transac-	

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	tions therewith, making provision for a depreciation reserve, providing penalties for the violation thereof, and repealing all Acts or parts of Acts in conflict herewith."	416, 569, 570, 649.
386	A Bill for an Act entitled: "An Act to amend Sections 1, 2, 3, 16, 18 and 19 of Chapter 184, Laws of 1931, relating to supervision, regulation and control of the use of the public highways of the State of Montana by motor vehicles engaged in the transportation by motor vehicles of persons and property upon the public highways of Montana, and adding to said Chapter 184 new and additional sections to be designated and numbered Sections 10.1, 16.1 and 16.2, providing for the licensing of persons and corporations operating motor vehicles for distributing, delivering and collecting wares, merchandise and commodities sold and to be sold by them; providing an additional license tax upon all motor carriers subject to the provisions of this Act, and appropriating the moneys collected to be used in the enforcement of the Act; and repealing all Acts and parts of Acts in conflict herewith."	417, 508, 509, 565, 672, 674, 675, 687, 699, 700, 703.
387	A Bill for an Act entitled: "An Act requiring public utilities to furnish information and reports to the Public Service Commission as directed by the commission."	417, 569, 625, 676, 687, 689, 742, 894.
388	A Bill for an Act entitled: "An Act to amend Section 3798, Revised Codes of 1921, relating to the powers and duties of the Board of Railroad Commissioners in the case of accidents occurring in the operation of any railroad in this state and empowering this board to adopt safety devices at railroad crossings."	417, 459, 516, 528, 676, 679, 695, 742, 894.
389	A Bill for an Act entitled: "An Act authorizing the Public Service Commission in emergency cases to enter orders fixing temporary rates to be charged by public utilities and to prescribe the procedure therefor."	417, 510, 575.
390	A Bill for an Act entitled: "An Act prescribing the fees and charges to be made by the Public Service Commission."	417, 509, 575, 675, 679, 696, 742, 826, 827, 845, 847, 865, 866, 881, 882, 893, 933.
391	A Bill for an Act entitled: "An Act to amend Section 3881 of Chapter 260 of the Revised Codes	

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	of the State of Montana, 1921, defining a public utility and providing for, and including, pipe lines for the transportation of natural gas within the jurisdiction and control of the Public Service Commission."	417, 459, 460, 516, 528, 676, 687, 689, 742, 800, 802.
392	A Bill for an Act entitled: "An Act providing for a review by the Governor and State Advisory Council of the organization, functioning, and finances of the state and local government, for the preparation of a program of economy and financing, and for the creation of a State Advisory Council; and designating the powers and duties of the Governor and the Advisory Council."	417, 593, 674, 679, 681, 701, 742, 765, 767.
393	A Bill for an Act entitled: "An Act to regulate the use of cinematographs, or similar apparatus, as well as fixing the number of persons employed in operating more than one such cinematograph, or other similar apparatus, and requiring an inspection of such apparatus, as well as the booths or inclosures enclosing the same, by the State Fire Marshal and providing that the State Fire Marshal may issue such rules and regulations as may be necessary regarding the same; setting forth the qualifications of all persons who shall operate a cinematograph, or other similar apparatus, and providing for persons aiding such operators as assistants and providing what type of apparatus and film used therein shall be exempt from the provisions of the Act and providing for penalties for violation of the Act."	418, 507, 575, 609, 615, 662, 676, 677.
394	A Bill for an Act entitled: "An Act to amend Section 3002 of the Revised Codes of Montana, 1921, relating to workmen's compensation; providing method of collection of delinquent premiums due the board, authorizing the board to cancel employer's right to operate under the Compensation Act; providing the notice for and the method of such cancellation; the duty of the sheriff to serve said notices and repealing all Acts and parts of Acts in conflict herewith."	418, 479, 532, 609, 615, 654, 686, 896, 912, 913, 916.
395	A Bill for an Act entitled: "An Act relative to jury trials in civil cases when the amount involved is less than Five Hundred Dollars."	418, 553.
396	A Bill for an Act entitled: "An Act repealing Section 3, Chapter 18, of the Session Laws of the State of Montana, 1933, relating to the rules and	

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	regulations governing school bus transportation."	418, 571.
397	A Bill for an Act entitled: "An Act to create the Montana Grazing Commission, providing the membership thereof and for the appointment of a State Grazing Administrator; defining the powers and prescribing the duties of said commission, granting said commission authority to levy and assess grazing associations organized under the Laws of the State of Montana, to defray the expenses of the said commission within the limits of this Act; providing for the administration of this Act, the powers and duties of said State Grazing Administrator, prescribing an annual report; providing for cooperation with the United States and the Director of Grazing under the Taylor Grazing Act."	418, 465, 565, 576, 598, 605, 639, 658, 659, 685, 756, 757, 766, 802, 804, 805, 890, 895, 900, 948, 949, 956, 957, 958. 967, 973.
398	A Bill for an Act entitled: "An Act relating to the advertisement and sale of roasted coffee and to the date of roasting, and providing a penalty for a violation thereof."	418, 567.
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	tion, including the power to annul their characters."	448.
478	A Bill for an Act entitled: "An Act to provide for the incorporation of grazing district associations to share in the conservation, restoration, improvement and the use of forage resources in the State of Montana; to authorize such associations to lease, purchase or otherwise acquire county or other lands for grazing purposes and to provide for the management and the use of such lands which will best conserve, restore, and improve the forage value thereof; providing for the approval of by-laws of such corporations, either heretofore existing or hereafter formed by the Montana Grazing Commission, making such Montana Grazing Commission the supervisory authority over cooperative grazing districts in Montana; providing for the fixing of fees for the administration of such districts and for the administration of grazing districts under such associations and said Montana Grazing Commission, and to amend Chapter 66, Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933."	448, 536, 537, 614, 649, 662, 670, 684, 740, 744, 755, 756, 766, 768, 802, 804, 805, 890, 895, 900, 948, 949, 958, 959, 967, 973.
479	A Bill for an Act entitled: "An Act authorizing the Montana Fish and Game Commission to acquire water rights for purpose of maintaining sufficient flow in streams to protect fish life."	449, 565, 588, 589, 649.
480	A Bill for an Act entitled: "An Act to prohibit the sale or drinking of beer in any dance room, space or on any dance floor in the State of Montana."	449.
481	A Bill for an Act entitled: "An Act amending Sections 8883, 8885, 8886, 8887, 8889, 8890, 8893, 8894, and 8895 of the Revised Codes of Montana of 1921, defining juries and the qualifications of jurors; making women eligible for jury service; providing for certain exemptions from jury service; and repealing all Acts and parts of Acts in conflict herewith."	449, 572, 649.
482	A Bill for an Act entitled: "An Act creating the Montana Power Commission, prescribing and defining its powers and duties and appropriating \$10,000 to said Power Commission."	449, 643.
483	A Bill for an Act entitled: "An Act to amend Section 1760, of the Revised Codes of Montana, 1921, as amended by Section 1, of Chapter 103, of the	

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	Session Laws of the Twenty-third Legislative Assembly, 1933, as further amended by Section 1, of Chapter 38, of the Extraordinary Session Laws, of the Twenty-third Legislative Assembly, 1933, relating to registration fees of motor vehicles.".....	449, 598.
484	A Bill for an Act entitled: "An emergency Act making the Board of Railroad Commissioners ex-officio the Montana Sugar Commission to supervise and regulate the entire sugar beet industry; as defined in this Act, to make rules and regulations in investigations; jurisdiction of District Court to enforce obedience to process; the commission shall have power to fix reasonable prices to producers and reasonable profits for processing; providing penalties for violating provisions of this Act."	449, 569.
485	A Bill for an Act entitled: "An Act to empower any City or Town Council to own, construct, maintain and/or operate tourist camps and/or tourist cottages."	449, 591, 649.
486	A Bill for an Act entitled: "An Act to empower any City or Town Council to own and operate spraying equipment and perform spraying services on privately owned fruit, shade and/or ornamental trees and/or vines, shrubbery and other vegetation and foliage, and to make charges and collect payments therefor."	449, 481, 482, 565, 576, 588, 600, 639, 659, 740, 754, 764, 765, 791, 801, 893, 894.
487	A Bill for an Act entitled: "An Act to amend Section 1, of Chapter 160, of the Session Laws of the Twenty-third Legislative Assembly, 1933, relating to the issuing of bonds by incorporated cities and towns and providing for refunding bonds, optional and redeemable."	449, 647, 702.
488	A Bill for an Act entitled: "An Act to amend Section 5 of Chapter 100 of the Laws of the Twenty-first Legislative Assembly of the State of Montana, 1929, as amended by Chapter 176 of the Session Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933, relative to the redemption of land from tax sale."	449, 554, 614, 649, 674, 678, 745, 895.
489	A Bill for an Act entitled: "An Act to appropriate money for the operation, maintenance and other purposes, as designated herein, for certain of the state's institutions, for the period beginning July 1, 1935, and ending June 30, 1937."	450, 477, 532, 572, 573, 629, 933, 934, 942, 943, 946, 947, 953, 954, 974.

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490	A Bill for an Act entitled: "An Act to appropriate money for the operation and maintenance of the six units of the University of Montana, for the Agricultural Experiment Stations and the Sub-stations, for Farmers' Extension Work, for the Bureau of Mines, for the Students' Railroad Fare Refund, for the period beginning July 1, 1935, and ending June 30, 1937."	450, 477, 478, 565, 572, 573, 574, 629, 702, 720, 933, 943, 953, 954, 974.
491	A Bill for an Act entitled: "An Act to appropriate money for the operation, maintenance and other purposes as designated herein, for certain state departments and offices for the period beginning July 1, 1935, and ending June 30, 1937."	450, 478, 565, 583, 587, 639, 702, 720, 944, 961, 962, 966, 975, 976, 977, 978, 985, 989, 990.
492	A Bill for an Act entitled: "An Act to amend Section 6118, of the Revised Codes of Montana, 1921, as amended by Chapter 48 of the Twenty-third Legislative Assembly of the State of Montana, relating to the obtaining of licenses to transact insurance business—all agents providing for filing of applications for license and qualifications of applicant; the filing of statement of company at the time of termination of employment of an agent; providing for the filing of copies of all policies written by the agent, providing for the suspension or revocation of licenses and providing for right of appeal from ruling of Insurance Commissioner."	450, 599.
493	A Bill for an Act entitled: "An Act authorizing a Court or Judge to reduce the penalty of a bond previously given by an executor or administrator and providing for the filing of a new bond."	451, 554, 614, 655, 674, 677, 745, 802.
494	A Bill for an Act entitled: "An Act abolishing capital punishment and providing in lieu thereof, life imprisonment, and repealing all Acts in conflict herewith."	451, 568.
495	A Bill for an Act entitled: "An Act providing for the classification and basis upon which taxes shall be imposed upon all irrigated land, non-irrigated farm land, all grazing land, all city and town lots together with the improvements thereon (except improvements used for business or industrial purposes)."	451, 589.
496	A Bill for an Act entitled: "An Act requiring every person, firm, co-partnership, association,	

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	joint stock company, syndicate and corporation engaging in or carrying on the business of producing natural gas within this state, or engaged in or carrying on the business of owning, controlling, managing, leasing or operating within this state, any system or plant for the production of natural gas within this state, shall pay to the State Treasurer for engaging in or carrying on such business, certain license fees for the exclusive use and benefit of the State of Montana; fixing the amount of such license fees; prescribing a method for the assessment and collection thereof; and prescribing penalties for violations of this Act."	451, 590.
497	A Bill for an Act entitled: "An Act to provide for the collection of per capita poor taxes and road taxes which are authorized by law and authorizing the seizure and sale of personal property to secure the payment of such taxes."	451, 643, 681, 702, 705, 706, 742, 767, 768, 801, 813, 814, 829, 831.
498	A Bill for an Act entitled: "An Act to amend Subdivision 2 of Section 7073, Revised Codes, Montana, 1921, relating to succession and distribution of property in intestate succession."	451, 464.
499	A Bill for an Act entitled: "An Act requiring the County Surveyor or any county having a total registered vote of 5,475 or over at the last general election to survey all public highways within such county, not heretofore surveyed, and to prepare suitable plat books."	451, 535.
500	A Bill for an Act entitled: "An Act to impose a tax of Two (2) Cents upon checks, drafts and orders for the payment of money, and providing for the collection and disposal of such tax."	451, 616, 675, 701.
501	A Bill for an Act entitled: "An Act to amend Section 678, Revised Codes of Montana, 1921, relative to election ballots."	451, 534.
502	A Bill for an Act entitled: "An Act to amend Section 4, of Chapter 106, Session Laws of the Twenty-third Legislative Assembly, 1933, relating to the Montana Beer Act and providing for the per cent of alcohol by weight."	452, 507.
503	A Bill for an Act entitled: "An Act empowering the Public Service Commission to require public utilities to carry a proper depreciation account and authorizing the commission to fix the rates of depreciation on the several classes of property of public utilities."	452, 566, 614.

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504	A Bill for an Act entitled: "An Act to amend Section 45, of Chapter 106, of the Session Laws of the Twenty-third Legislative Assembly, 1933, as further amended by Chapter 46 of the Extraordinary Session Laws of the Twenty-third Legislative Assembly, 1933, relating to the Beer Act and placing limitations on a beer license.".....	452, 647.
505	A Bill for an Act entitled: "An Act providing that all book binding, book repairing and magazine binding ordered by the State of Montana or any subdivision thereof must if possible be done within the State of Montana.".....	452, 567, 614, 655, 662, 668, 669, 684, 802.
506	A Bill for an Act entitled: "An Act to permit counties which are indebted beyond the limit provided by Section 5 of Article XIII of the Constitution to operate on a cash basis.".....	452, 552, 561, 621, 674.
507	A Bill for an Act entitled: "An Act to establish a state hospital, to be known as the 'Montana State Infantile Paralysis Sanitarium,' in some suitable location in the State of Montana, for the treatment of infantile paralysis, prescribing rules and regulations for the same, and making appropriations therefor."	452, 625, 702, 703, 870, 898, 899, 948, 961, 962, 967, 973.
508	A Bill for an Act entitled: "An Act to authorize the construction of a building or buildings for the Montana State Infantile Paralysis Sanitarium; to provide for the issuance of revenue bonds for the payment thereof; to provide that such bonds shall not constitute or be a debt, liability or obligation of the state but shall be secured only by the rents or income of the buildings; to provide for the registration of such bonds; to provide for trust indenture and trustee for said bonds; to provide for the creation of a sinking fund and to define its purposes; to empower the State Board of Examiners to enter into all contracts and agreements necessary or incidental to the execution of its powers under this Act; to provide remedies of bondholders; and declaring an emergency.".....	452, 624, 625, 702, 703, 870, 898, 899, 948, 961, 962, 967, 973.
509	A Bill for an Act entitled: "An Act to amend Section 2 of Chapter 47 of the Laws of the Extraordinary Session of the Twenty-third Legislative Assembly of the State of Montana, 1933, relative to attaching common school districts to high school districts."	452, 477, 506, 569.

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510	A Bill for an Act entitled: "An Act authorizing the Public Service Commission to order the income of a public utility in excess of a reasonable rate of return to be placed in a reserve fund to be applied as earnings of the public utility in subsequent years in which it does not earn a reasonable rate or return."	453, 509, 575.
511	A Bill for an Act entitled: "An Act to provide for the support of the Government of Montana for the years 1935 and 1936."	453, 645, 646, 670, 681, 703, 704, 742, 944, 949, 950, 953, 963, 966, 967, 974, 976.
512	A Bill for an Act entitled: "An Act to amend Section 5080, Revised Codes of Montana 1921, relating to notice of claim to a city or town for injury alleged to have been suffered by any person by reason of any defect in any bridge, street, road, sidewalk, culvert, park, public ground, ferry-boat, or public works of any kind in said city or town, and providing that at the trial of any action arising out of said alleged injury, the plaintiff shall be required to prove that said city or town had actual notice of said defect at least twenty-four hours before the occurrence of said alleged injury."	453, 542, 543, 555.
513	A Bill for an Act entitled: "An Act giving the Public Service Commission supervision over the payment of dividends on common stock issued by public utilities."	453, 509, 575.
514	A Bill for an Act entitled: "An Act to repeal Sections 715, 716, 718, to 720 inclusive, 722 to 735, inclusive, Revised Codes of Montana, 1921, and Sections 717 and 721, Revised Codes of Montana, 1921, as amended by Chapter 151 Acts of Eighteenth Legislative Assembly, all relating to voting by absent electors."	453, 619.
515	A Bill for an Act entitled: "An Act to appropriate money from the general fund of the state to compensate J. G. Link, for services rendered by it to the State of Montana as architect of the dining hall and guards' quarters building of the State Prison at Deer Lodge, Montana, and to reimburse him for the cost of a visit made by him to San Quentin and Folsom Prisons in California at the instance of the State Board of Examiners."	453, 644, 645.
516	A Bill for an Act entitled: "An Act relative to the collection of money due on notes, chattel mortgages, and other personal loans; making it a misdemeanor to collect or attempt to collect more than the full amount shown on the face of such instruments plus the legal rate of interest and/or	

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	to charge any premium or bonus for the loaning of money, and defining penalties.".....	456.
517	A Bill for an Act entitled: "An Act establishing a water conservation revolving fund to be designated the 'conservation revolving fund' providing for the collection and payment of moneys into said fund and disbursements therefrom; making appropriations therefor; making appropriations of funds for the conservation 'administration fund' and the 'conservation revolving fund' out of the net proceeds to the credit of the Montana Liquor Control Board fund; and repealing all Acts and parts of Acts in conflict herewith and declaring an emergency."	456, 566, 587, 593, 674, 702, 712, 717, 742, 826, 828, 933, 943, 961, 962, 966, 978, 980, 981, 982, 986, 989, 990.
518	A Bill for an Act entitled: "An Act to provide for the sale of spirituous and vinous liquors at wholesale by the State of Montana; creating the Montana Liquor Control Board, and providing for the operation thereof; providing for the retail sale of such liquors by drug stores and providing for the distribution of moneys collected hereunder for schools, emergency relief, old age pensions and other purposes and validating any action of the Montana State Liquor Control Board prior to the passage of this Act."	456, 507.
519	A Bill for an Act entitled: "An Act providing for a license tax on collection agencies, and providing a penalty for the failure to pay said tax.".....	456, 643.
520	A Bill for an Act entitled: "An Act to impose a license fee on certain places of business engaged in the sale and distribution of petroleum and petroleum products."	456, 589.
521	A Bill for an Act entitled: "An Act to amend Sections 3779, 3782 and 3783 of the Revised Codes of the State of Montana of 1921 and repealing Sections 3780, 3784, 3786, 3788 and 3790 of the Revised Codes of the State of Montana of 1921, and Section 3787 of the Revised Codes of Montana of 1921 as amended by Chapter 90 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana of 1927, abolishing the Board of Railroad Commissioners of the State of Montana and providing that the duties of said board shall be performed by the State Board of Equalization of the State of Montana.".....	456, 458, 476, 510.
522	A Bill for an Act entitled: "An Act to amend Section Ten (10) of Chapter One Hundred Eighty-one (181) of the Acts of the Twenty-third Legis-	

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	lative Assembly of Montana of 1933, relating to exemptions from the payment of income tax."	456, 646.
Sub. 522	A Bill for an Act entitled: "An Act to amend Sections 2 and 28 of Chapter 181, Laws of 1933, as amended, by Chapter 40 of the Laws of Montana of the Extraordinary Session of 1933-34 and to amend Sections 10, 14 and 15 of Chapter 181, Laws of 1933, relating to the levy and collection of income taxes, providing for exemptions and fixing the basis and rate of tax and the distribution thereof."	646, 648, 681, 711, 712, 713, 742, 802, 804, 828, 846.
523	A Bill for an Act entitled: "An Act to amend Sections 2 and 28, of Chapter One Hundred Eighty-one (181), of the Laws of Montana, 1933, as amended by Sections 1 and 2, of Chapter Forty (40), of the Laws of Montana of the Extraordinary Session of 1933-34, regulating the rate of personal income tax to be paid, and the distribution of said tax."	456, 647.
524	A Bill for an Act entitled: "An Act to prohibit railroads or public utilities from issuing passes to Legislators and prohibiting Legislators from receiving passes and providing a penalty for violation of this Act."	457.
525	A Bill for an Act entitled: "An Act to amend Sections 8620, 8621, 8624, 8626, 8628, 8629, 8630, 8631, 8632, 8633, 8635, 8637, and 8640 of the Revised Codes of Montana of 1921, relating to assignments for the benefit of creditors and repealing Sections 8615, 8616, 8617, 8618, 8619, 8625, and 8627 and all Acts and parts of Acts in conflict herewith."	457, 619.
526	A Bill for an Act entitled: "An Act providing for the validity of sale of real property in probate proceedings."	457, 553.
527	A Bill for an Act entitled: "An Act relating to the licensing of loan associations and defining penalties."	457, 590.
528	A Bill for an Act entitled: "An Act prohibiting utilities and railroads from carrying attorneys on pay rolls or issuing them passes while they are state, city, county, or municipal officers; and making it unlawful for attorneys to take retainers from public utilities or railroads while holding public office and providing penalties therefor."	457, 566, 642.
529	A Bill for an Act entitled: "An Act to amend Section 2 of Chapter 181 of the Laws of the Twenty-third Legislative Assembly of the State of Mon-	

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	tana, 1933, as amended by Section 1 of Chapter 40 of the Laws of the Extraordinary Session of the Twenty-third Legislative Assembly, State of Montana, and to amend Section 10 of Chapter 181 of the Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933, relative to income tax rates and exemptions.".....	457, 556.
530	A Bill for an Act entitled: "An Act providing a means for the purchase, construction, improvement, enlargement, extension and repair by any county, city or incorporated town of a water-works system, sewer system, sanitary disposal equipment and appliances, ice plant, gas or electric plants and/or distribution systems, hospitals, toll bridges, slaughter houses, and any public project or service which may lawfully be owned and operated or managed by such counties, cities or towns, including any public work or improvement named in the National Industrial Recovery Act as an object upon which the moneys appropriated under such Act may be expended or loaned; also to provide for the issuance by revenue bonds to cover the cost thereof and to provide a means of payment therefor from the net revenues of such projects or services; providing a means of segregating the revenue from existing projects or services and any additions, extensions, betterments or repairs thereto; providing a means for requiring bond elections to be held in connection therewith; providing conditions and regulations with respect to the purchase, construction and operation of such projects or services and the manner of issuance, terms and conditions of such bonds; and affording a means of obtaining assistance from the Federal Emergency Administration of Public Works in the carrying out of such projects."	457.
531	A Bill for an Act entitled: "An Act changing the official name of the Board of Railroad Commissioners of the State of Montana, ex-officio Public Service Commission of Montana, ex-officio Montana Trade Commission, ex-officio Montana Irrigation Commission to 'Public Service Commission of Montana,' and revise the Laws to provide that such latter name shall be substituted for such former names in all sections of the Laws of the State of Montana."	457, 569, 649.
532	A Bill for an Act entitled: "An Act to appropriate money for the operation, maintenance and other purposes, as designated herein, for certain state departments, boards, bureaus, commissions and	

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533	A Bill for an Act entitled: "An Act to appropriate money for the operation and maintenance of certain boards, departments, state institutions and state offices for the period ending June 30, 1935, it having been found that the appropriations provided by the Twenty-third Legislative Assembly were insufficient for the above purposes."	498, 516, 575, 583, 587, 588, 639, 933, 949, 950, 953, 973.
534	A Bill for an Act entitled: "An Act to appropriate money for the payment of certain deficiency claim arising out of the making of repairs to the State Capitol Building."	650, 651, 681, 687, 701.
535	A Bill for an Act entitled: "An Act appropriating money for the payment of certain claims for refund of gasoline tax paid by the various departments of the United States Government."	650, 651, 681, 687, 704, 712, 742, 767, 768, 801, 813, 814, 815, 829, 831.
536	A Bill for an Act entitled: "An Act to appropriate money for the payment of certain deficiency claims arising out of the operation of the Vocational School for Girls."	650, 651, 681, 687, 688, 698, 699, 712, 742, 767, 768, 801, 813, 814, 815, 829, 831.
537	A Bill for an Act entitled: "An Act to appropriate money for the payment of certain deficiency claims arising out of the operation of the Orthopedic Commission."	650, 681, 687, 704, 712, 742, 767, 768, 801, 831, 832, 833, 849.
538	A Bill for an Act entitled: "An Act to appropriate money for the refund of excessive collection of taxes by the State of Montana."	650, 681, 687, 704, 705, 712, 742, 767, 768, 801, 813, 814, 815, 829, 831.
539	A Bill for an Act entitled: "An Act to appropriate money for fire insurance premiums on all state buildings and contents out of any money in the	

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	general fund or any special funds enumerated herein."	688, 712, 717, 742, 767, 800, 804, 818, 831, 832, 833, 849.
540	A Bill for an Act entitled: "An Act to appropriate money for the payment of expenses of the Twenty-fourth Legislative Assembly of the State of Montana."	815, 830, 842, 847, 848, 933, 942, 943, 953, 954, 974.
541	A Bill for an Act entitled: "An Act appropriating money for the payment of per diem of the officers and attaches of the Twenty-fourth Legislative Assembly of the State of Montana."	987.

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2	"Memorial to the Congress of the United States requesting the speedy consideration of the several old age pension plans and proposals now pending before the Congress, specifically including the measure introduced by Representative Joseph Monaghan of Montana and the Townsend Old Age Pension Plan with the view to the enactment of such measures into law to provide a comprehensive old age pension plan and system throughout the United States of America."	150, 182, 206, 207, 219, 231, 261, 375, 393, 396.
3	"A Memorial memorializing the President and Congress of the United States for a grant of land containing a hot water spring for the use and benefit of the State of Montana as an infantile paralysis sanitarium."	78, 84, 96, 102, 105, 109, 110, 117, 145, 161, 169, 188, 195.
4	"A Memorial memorializing Congress that they take appropriate action to face the immediate resumption of work on the Polson Damsite by the United States."	135, 167, 186, 254, 268, 293, 319, 333, 365, 373, 397, 408, 426, 476.
5	"A Memorial memorializing Congress for the passage of appropriate legislation, providing that the United States shall establish a checking account system in the Postal Savings Department of the Postal System of the United States."	142, 151, 182, 254, 255, 270, 532.
6	"A Memorial to the President of the United States of America requesting an investigation of flood control of the Yellowstone River."	142, 177, 196, 254, 256, 266, 281, 298, 334, 373, 397, 408, 426, 476.
7	A Memorial "memorializing Congress that they take appropriate action against the passage of Senate Bill No. 1130, a bill providing for unemployment and old age."	216, 466.
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9	"A Memorial to the Congress of the United States, requesting the enactment of legislation to provide for Federal aid to the public schools, and the public school systems, of the several states, and setting forth the emergency which the current economic depression has brought about, and which renders financial assistance to the public schools of the State of Montana imperative.".....	321, 359, 360, 409, 511, 545, 613, 671, 756, 768, 801, 813, 814, 815, 829, 832.
10	"A Memorial to the President and the Congress of the United States relating to the administration of Federal farm loans by the Federal Land Bank located at Spokane, Washington, and other agencies in relation to loans upon farms within the State of Montana."	405, 447, 494, 511, 527.
11	"A Memorial memorializing the President and Congress of these United States to enact proper legislation reducing the hours in any one day in which persons may be employed for hire to be not more than six (6) hours.".....	438, 464, 465, 532, 583, 606, 611, 639, 683, 739, 740.
12	A Memorial memorializing the Congress of the United States, and the Secretaries of Agriculture, and of the Interior, to conduct a thorough investigation into the complaints of ranchers residing in the Tom Minor Basin, with reference to the action of the National Park Service, and the Game Preservation Association, in withdrawing 43 square miles of range land from the use of said ranchers, and annexing such land to Yellowstone National Park.	671, 732, 752, 767, 768, 801, 813, 814, 815, 829, 832.
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1	"Relating to investigation of various state departments and the financial conditions of the state."....	19, 91.
2	"Relative to limiting the time of the Twenty-fourth Legislative Assembly."	54, 107.
3	Resolution to join with Senate and appoint committees to investigate the Liquor Control Board.....	132, 153, 154, 163, 164, 165, 173, 179, 234.
4	Directing the Governor to proclaim October 11th of each year 'General Pulaski's Memorial Day' for the observance and commemoration of the death of Brigadier General Casimir Pulaski.....	301, 329, 330.
5	"Memorializing the United States Senate to ratify at the instant session of Congress the treaty between the United States of America and the Dominion of Canada for the building of the Great Lakes-St. Lawrence Seaway."	337, 366, 390, 511, 612, 671, 741, 755, 765, 790, 811, 828, 893.
6	"Relative to the employment of granite workers.".....	428, 466, 565, 583, 593, 606, 639, 741, 755, 765, 790, 811, 828, 893.
7	"A Joint Resolution requesting Honorable Harold L. Ickes, Public Works Administrator, to allot funds for the construction of a highway leading from the town of Opheim in Valley County, Montana, to Glasgow, Montana."	458, 466, 532, 583, 606, 610, 611, 639, 825, 827, 847, 857, 858, 913, 932.
8	"A Resolution requesting Congress to appropriate One Hundred Thousand Dollars for the repair and upkeep of the School for the Deaf, Blind and Feeble Minded at Boulder."	452, 624.
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1	Relating to the request of the Twenty-fourth Legislative Assembly to the Montana Railroad Commission to stay, by appropriate procedure, the orders made by that body on December 31, 1934, and January 3, 1935.	73, 84, 890.
Sub. 1	That the Speaker of the House of Representatives appoint a committee of five, to investigate the administration of the Board of Railroad Commissioners for the past biennium, including all departments and divisions thereof, make their findings as a result thereof, and report back to the House of Representatives with recommendations in regard thereto; that the committee be and it is hereby given plenary power to subpoena witnesses and to require the attendance of any person or persons whose testimony may be material or proper and to issue subpoenas duces tecum and compel the production of any and all books, records, orders, tariffs, schedules and all other matters necessary to a complete investigation of the administration of the Board of Railroad Commissioners, and its ex-officio members.....	84, 85, 96.
2	"Resolution relative to the giving of examinations to all typists and stenographers and relative to the discharging of all who can not pass such examinations and the employment of others in their places."	85, 103, 127.
3	In regard to outstanding warrants against the State of Montana and suggested remedies to care for same.	92, 95, 97, 100, 102, 120, 149, 382, 410.
4	That a special committee of five (5) be appointed by the Speaker to investigate the State Liquor Control Board to ascertain whether or not this department is being properly conducted, whether or not the accounts and affairs of the said board are in proper form, whether or not there are any irregularities, bad practices or unbusinesslike methods in use which should be corrected by amendment of the present Liquor Control Act, and to make such recommendations as the committee, upon thorough investigation, shall deem fitting and proper. That the committee shall immediately organize and report to the House not later than the thirty-eighth Legislative day; that if the said committee shall require funds to accomplish the business of this resolution it shall make appropriate request therefor to the House, when its needs are ascertained; that the said committee shall have full power to subpoena witnesses and require the production of all unneces-	

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65	A Bill for an Act entitled: "An Emergency Act relating to grain warehouse storage receipts; authorizing the delivery of grain in warehouses to the Government of the United States under the Federal Seed Stock Act without surrender of the warehouse receipt, and repealing all Acts in conflict herewith."	211, 213, 222, 234, 237, 271, 272, 287, 288, 294, 302, 303, 330, 350, 362, 365, 393.
66	A Bill for an Act entitled: "An Act amendnig Section 8437 R. C. M. 1921, relating to negotiable instruments, and requiring an affidavit as to the amount due on such instruments at the time of negotiation."	235, 262, 279, 316.
67	A Bill for an Act entitled: "An Act to amend Section 5308 R. C. M. 1921, as amended by Chapter 54 of the Session Acts of the Twenty-first Legislative Assembly of Montana of 1929, relating to the vacation of plats in abandoned townsites, and repealing all Acts in conflict herewith."	235, 280, 316, 333, 364, 374, 393, 399, 799, 855, 860, 885, 933.
68	A Bill for an Act entitled: "An Act relating to the purchase by the United States of lands within the State of Montana for National Forest purpose."	235, 280, 297, 318, 361, 362, 366, 842, 868, 903, 930, 944, 962.

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69	A Bill for an Act entitled: "An Act relating to the classification of lands for purposes of taxation; providing for the classification and assessment of land leased or used for grazing purposes; specifying the powers and duties of the County Board of Equalization in relation to the administration of this Act, and repealing all Acts in conflict herewith."	236, 262, 279, 299, 636.
Sub. 69	A Bill for an Act entitled: "An Act relating to the classification of lands for purposes of taxation; providing for the classification and assessment of lands leased or used for grazing purposes; specifying the powers and duties of the County Board of Equalization in relation to the administration of this Act, repealing all Acts in conflict herewith."	636, 684, 685, 719, 726, 742, 745, 782, 831, 841.
70	A Bill for an Act entitled: "An Act fixing the amount of the fee to be paid to the Montana State Fish and Game Warden by a bona fide owner of real estate for a permit to take or destroy beaver on the real estate of said owner only and when such beaver are actually and materially damaging such real estate, and repealing all Acts and parts of Acts in conflict herewith." ..	236, 280.
71	A Bill for an Act entitled: "An Act relating to the care of the county poor and requiring the property of sick, poor or indigent persons receiving county aid and to be applied to the support of such persons, and defining the duties of the County Commissioners in relation thereto."	236, 488.
72	A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 46 of the Laws of the Extraordinary Session of the Twenty-third Legislative Assembly, relating to the definition of the term 'beer' and to repeal Section 4 of Chapter 106 of the Session Laws of 1933."	236, 262.
73	A Bill for an Act entitled: "An Act to amend Section 2153 of the Revised Codes of Montana of 1921, as amended by Chapter 182 of the Acts of the Twenty-third Legislative Assembly of the State of Montana, relating to the lien of personal property taxes and defining priority of personal property taxes as applied to real estate and permitting payment and redemption from the lien thereof."	244, 252, 279, 318, 361, 362, 366, 622, 642, 667, 674, 684, 811, 824, 838, 869, 896.

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74	A Bill for an Act entitled: "An Act to prevent the monopoly of transportation service on the highways of Montana by competing forms of transportation; prohibiting railroad companies from using the public highways for intrastate transportation of property by motor vehicles; defining the terms used in this Act; providing penalties for the violation of this Act, and repealing all Acts and parts of Acts in conflict herewith.".....	245, 469, 519, 527, 560, 584, 629.
75	A Bill for an Act entitled: "An Act to amend Section 138 of Chapter 89, of the Laws of the Twentieth Legislative Assembly, 1927, relating to disposition of assets, remaining after payment of claims, of banks in liquidation by the Superintendent of Banks and final closing of trust.".....	245, 280, 316, 333, 364, 374, 393, 399, 567, 735, 748, 749, 771, 801, 802.
76	A Bill for an Act entitled: "An Act providing for the mortgaging of the right of dower of an insane married woman and providing for the appointment of a guardian of an insane married woman when her only property is right of dower in her husband's real estate.".....	261, 262, 279, 318, 361, 362, 366, 391, 735, 749, 771, 801, 802.
77	A Bill for an Act entitled: "An Act to amend Section 9122 of the Revised Codes of Montana, 1921, relating to proof of service of summons and complaint—how made."	262, 298, 316, 333, 375, 393, 399, 734, 773, 787, 820, 827, 828.
78	A Bill for an Act entitled: "An Act to amend Section 10637 of the Revised Codes of Montana, 1921, relating to evidence of publication—what constitutes."	262, 298, 316, 333, 375, 393, 399, 507, 735, 749, 771, 801, 802.
79	A Bill for an Act entitled: "An Act to amend Section 10 of Chapter 100 of the Session Laws of the Twenty-second Legislative Assembly of Montana, relating to the exchange of lands and timber between the counties of the state and the United States."	279, 519.
Sub. 79	"An Act to authorize Boards of County Commissioners to convey to the United States lands acquired by the county for delinquent taxes and to accept in lieu thereof Government lands of standing timber of a value equal to the county	

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	lands so exchanged; providing the method of effecting such exchange and disposing of such lieulands."	519, 584, 586, 634, 637, 640, 871, 874, 905, 930, 944, 962.
80	A Bill for an Act entitled: "An Act to amend Chapter 12 of Laws of the Twenty-third Legislative Assembly to define nepotism and to prevent such practice in the State of Montana and prescribing the penalties thereof."	279, 299, 316, 333.
81	A Bill for an Act entitled: "An Act amending Sections 8883, 8885, 8886, 8887, 8889, 8890, 8893, 8894, and 8895 of the Revised Codes of Montana of 1921 defining juries and the qualifications of jurors; making women eligible for jury service; providing for certain exemptions from jury service; and repealing all Acts and parts of Acts in conflict herewith."	279, 298, 316, 333, 362, 364, 375, 394, 396, 397, 469, 473.
82	A Bill for an Act entitled: "An Act to amend Section 4880, Revised Codes of Montana, 1921, relative to the maximum number of Deputy Treasurers, Auditors and County Attorneys."	279, 374.
83	A Bill for an Act entitled: "An Act amending Chapter One Hundred and Two of the 1933 Session Laws of the State of Montana and defining the offense of kidnaping and prohibiting the payment of a ransom to kidnapers and relating to the trial of same and the punishment therefor and to repeal Sections 10970, 10971 and 10972 of the Revised Codes of Montana of 1921 in relation to kidnaping."	281, 318, 333, 364, 376, 420, 426, 427, 554, 735, 773.
84	A Bill for an Act entitled: "An Act to amend Section 65 of Chapter 60 of the Laws of the State of Montana of 1927, as amended by Chapter 28 of the Laws of the State of Montana of 1929, relating to mineral reservations in state lands, it being the purpose of this amendment to restore the said Section 65 to its original intent."	280, 298, 316, 333, 375, 394, 423, 473, 517, 519, 528, 822, 868, 877, 894, 898, 958, 965, 966, 967, 980.
85	A Bill for an Act entitled: "An Act to provide for the censorship of motion picture films exhibited in the State of Montana; providing for the appointment of a state film censor and deputy censors and defining their powers, duties and compensation; providing fees to be paid for the examination and censorship of all motion picture films; defining certain terms used in this Act and	

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	establishing penalties for the violation of this Act."	299, 473.
86	A Bill for an Act entitled: "An Act to amend Chapter 52 of the Session Laws of Montana, Twenty-first Session, 1929, relating to an Act to establish a game preserve in a portion of Judith Basin County for the protection of game, animals and birds, to be known as Judith River Game and Bird Preserve, and providing penalties for the killing, hunting, trapping and pursuing any game animals or birds in such preserve, or the carrying of firearms therein."	299, 395, 423, 473, 517, 519, 528, 763, 764, 792, 806, 846.
87	A Bill for an Act entitled: "An Act to authorize the County Commissioners and the County Clerk to execute on behalf of the county a release of property described in any seed grain contract executed under the State Drought Relief Act of 1918, Sections 4640 to 4679 inclusive, R. C. M., 1921, in cases where the recovery of the amount due under such contract has been barred by the statute of limitation, and repealing all Acts in conflict herewith."	299, 374, 396, 423, 486, 487, 494, 751, 773, 811, 819, 869, 896.
88	A Bill for an Act entitled: "An Act to amend Section 4592 of the Revised Codes of Montana of 1921, as amended by Section 3 of Chapter 133, of the Session Laws of the Twenty-first Legislative Assembly relating to rural improvement districts and providing for the maintenance and preservation of improvements within such improvement districts, by contract or otherwise, in such a way or manner as the Board of County Commissioners shall deem suitable and proper."	317, 635, 683, 719, 721, 745, 751, 752, 773, 789, 820, 827, 828.
89	A Bill for an Act entitled: "An Act amending Section 19 of Chapter 181 of the Session Acts of the Twenty-third Legislative Assembly of Montana of 1933 relating to income tax returns."	317, 487, 560, 627, 633, 639, 781, 831, 837, 838, 869, 896, 980, 986, 987, 989.
90	A Bill for an Act entitled: "An Emergency Act relating to the granting of relief from execution sales of real estate; providing for extending the period of redemption from said mortgage foreclosure and execution sales, and designating the procedure to obtain such relief and the authority of courts in relation thereto; limiting the right to	

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	maintain actions for deficiency judgments; extending the expiration of certain periods of redemption, and repealing all Acts and parts of Acts in conflict herewith."	317, 395, 426, 473, 487, 517, 519, 529, 778, 791, 811, 835, 836, 869, 896.
91	A Bill for an Act entitled: "An Act relating to tax levies made and fixed by Boards of County Commissioners, City and Town Councils and Commissions, and other boards and commissions authorized by law to make and fix tax levies."	317, 374, 396, 423, 486, 487, 495, 872, 874, 904, 931, 944, 962.
92	A Bill for an Act entitled: "An Act to amend Section 4874 Revised Codes of Montana, 1921, as amended by Chapter 82, Acts of the 18th Legislative Assembly, and to repeal Section 4878, Revised Codes 1921, all relating to the power and authority of County Commissioners to fix the number, appointment and compensation of deputies and assistants to county officers."	318, 374, 396, 421, 423, 487, 527, 560, 659.
Sub. 92	"An Act to amend Section 4874 of the Revised Codes of Montana of 1921, as amended by Chapter 82 Session Acts of the Eighteenth Legislative Assembly of 1923, and to repeal Sections 4873, 4875, 4877, 4878, 4880, 4881, 4882 and 4883 of the Revised Codes of Montana of 1921, relating to the authority of County Commissioners to fix the number and compensation of deputies and assistants to county officers."	659, 683, 685, 719, 721, 745, 751, 773, 811, 824.
93	A Bill for an Act entitled: "An Act defining and prohibiting discrimination in the sale of merchandise within the State of Montana; providing punishment for the violation of this Act; declaring rules of evidence in prosecution under this Act; authorizing the recovery of damages for a violation of this Act; defining the duties of the Attorney General in relation to this Act; defining terms used in this Act; and repealing all Acts and parts of Acts in conflict herewith."	331, 628, 658, 659, 683, 684, 727, 844, 845, 854, 868, 876, 931, 944, 962.
94	A Bill for an Act entitled: "An Act to amend Section 4771 of the Revised Codes of Montana of 1921, relating to the duties of State Examiner and County Clerk."	331, 520, 584, 586, 656, 659, 660, 794, 855, 859, 860, 884, 933.

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95	A Bill for an Act entitled: "An Act requiring the State Board of Land Commissioners to give credit on all grazing leases of state lands to lessees who paid the rentals for the year beginning March 1, 1933, at the rate providing by law before the effective date of Chapter 42 of the Session Acts of the Twenty-third Legislative Assembly of 1933, for an amount equal to the reduction in such rates effected by said Act."	331, 362, 374, 396, 468, 473, 495, 501, 735, 769, 801, 805, 826, 828, 897.
96	A Bill for an Act entitled: "An Act providing for the consolidation of county offices, for the filing of petitions asking for such consolidation and prescribing and defining the powers and duties of Boards of County Commissioners in connection therewith."	331, 488, 584, 586, 634, 637, 640, 751, 792, 831, 837, 869, 896.
97	A Bill for an Act entitled: "An Act to amend Section 9427 of the Revised Codes of Montana of 1921, relating to exemptions of property from execution and repealing Chapter 120 of the Session Acts of the Twenty-third Legislative Assembly of 1933, and all other Acts in conflict herewith."	331, 395, 426, 473, 517, 519, 528, 777.
98	A Bill for an Act entitled: "An Act amending Section 1999 of the Revised Codes of Montana of 1921, relating to the classification of property for taxation."	331, 423.
99	A Bill for an Act entitled: "An Act relating to taxation, requiring the payment of taxes on all state, county, school district and other municipal bonds, warrants and securities, before principal or interest thereon is paid; and requiring the presentation of evidence of tax payment by holders of such securities."	331, 423.
100	A Bill for an Act entitled: "An Act authorizing the issuance of free Class A hunting and fishing license to veterans receiving compensation for disability incurred in the military or naval service of the United States; and specifying the procedure for the issuance of such license."	331, 628.
101	A Bill for an Act entitled: "An Act to amend Sections 2, 5, and 8, Chapter 35, of the Acts of the Extraordinary Session of the Twenty-third Legislative Assembly of Montana, entitled: 'An Act providing for the creation of the State Water Conservation Board; prescribing its powers and duties; providing for the construction, operation	

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	and maintenance of a system of works for the conservation, development, storage, distribution and utilization of water, and for the acquisition of property necessary therefor; authorizing the issuance of water conservation revenue bonds of the state payable solely from the revenues of such works and the funds received from the sale or disposal of water and from the operation, lease, sale or other disposition of the works, property and facilities to be acquired out of the proceeds of such bonds; providing for a lien upon bond proceeds; providing for trust indentures; providing for the creation of certain funds in connection with this Act; providing for contracts with the United States; declaring that no debt of the state shall be incurred in the exercise of any of the powers granted by this Act; providing for purchase condemnation; and otherwise acquiring lands and water rights and for the sale thereof; making an appropriation; repealing Chapter 155, of the Session Laws of 1931; and declaring an emergency,' and to supplement said Chapter 35, by adding Section 8-A thereto so as to provide that the State Water Conservation Board may mortgage property, and by adding Section 21-A thereto so as to provide that the State Water Conservation Board shall be a body corporate; and declaring an emergency."	362, 363, 396, 420, 473, 474, 517, 519, 528, 822, 855, 861, 884, 933, 962.
102	A Bill for an Act entitled: "An Act to repeal Section 1 of Chapter 196, Session Laws of 1931, relating to the use of the labor of male prisoners in the Montana State Prison for the manufacture of common brick and cement sand brick, and to the use of the labor of male inmates of the Montana State Hospital for the insane for the manufacture of cement sand brick."	363, 558.
Sub. 102	A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 196 of the Session Laws of 1931 providing for the employment of prison labor in the manufacture of common and cement sand brick and for construction and repair of buildings at the Montana State Prison."	558, 585, 629, 656, 659, 660, 732, 735, 769, 770, 801, 805, 826, 828, 897.
103	A Bill for an Act entitled: "An Act to amend Section 10482 of the Revised Codes of Montana of 1921, as amended by Chapter 133 of the Acts of the Twenty-third Legislative Assembly of 1933, relating to the conditions of allowance of mothers' pensions."	363, 395, 426, 473, 487, 518, 584, 586, 592, 779, 793, 808, 809, 828, 846.

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104	A Bill for an Act entitled: "An Act recognizing the liability of the state for the public school permanent fund under Section 3 of Article XI of the Constitution of the state, acknowledging its obligation thereunder to keep such public school fund inviolate and its guarantee against the loss or diversion of any part thereof including the investments in state farm mortgage loans; providing for assuming and taking over as the property of the state itself all such state farm loans and all lands acquired by the state under such loans together with all rights of the state in connection therewith, and providing for the repayment of the amount invested in such farm loans together with interest."	363, 519, 584, 586, 629, 638, 682, 723, 871, 872, 874, 904, 930, 944, 962.
105	A Bill for an Act entitled: "An Act to amend Section 4836 of the Revised Codes of Montana of 1921, relating to duties of the County Surveyor; defining the scope and effect of this Act, and repealing all Acts and parts of Acts in conflict herewith."	364, 488.
106	A Bill for an Act entitled: "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section Five of Article Five of the Constitution of the State of Montana, providing that no session of the Legislative Assembly, after the year Nineteen Hundred Thirty-six, shall exceed forty-five days, and that a Senator or Representative may, during the term for which he shall have been elected, be appointed to serve as a member of a Legislative Council."	364, 487, 520, 559, 560.
107	A Bill for an Act entitled: "An Act creating a Legislative Council; providing for the appointment of the members thereof; prescribing the powers and duties of such council and fixing the compensation of the members thereof."	364, 487, 520, 560.
108	"An Act declaring illegal, void and unenforceable any provision empowering entry of judgment by confession, or creating an agency to either confess judgment, accept service of process or entry of default in any proceeding in court, when such provision is contained in a contract in writing by which any promise to pay money is created."	375, 423, 519, 627, 633, 639, 780, 781, 793, 808, 809, 846.
109	A Bill for an Act entitled: "An Act validating, ratifying, approving and confirming elections heretofore held by public bodies of the State of Montana authorizing the creation of indebtedness	

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	and the issuance of bonds to finance public works projects."	374, 375, 396, 423, 486, 487, 495, 771, 792, 806, 807, 846, 962.
110	A Bill for an Act entitled: "An Act validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore issued by public bodies of this state for public works projects."	374, 375, 426, 473, 519, 527, 635, 637, 656, 660, 771, 772, 792, 807, 846.
111	A Bill for an Act entitled: "An Act to amend Sections 1, 2 and 3 of Chapter 46, Session Laws of 1933; being an Act to regulate the practice of the profession of public accounting or auditing; providing for the qualifications, examinations and admission of applicants and the issuance of certificates thereto; providing for an examining board and the powers thereof."	375, 473, 519, 584, 586, 592, 733, 735, 758, 770, 801, 805, 826, 828, 897.
112	A Bill for an Act entitled: "An Act authorizing the creation and dissolution of county-wide herd districts upon the vote of the majority of the qualified electors of the county; providing the procedure for the creation or dissolution of such districts and for the exclusion of lands therefrom; defining the powers and duties of the Board of County Commissioners in connection with such districts; prohibiting the running at large of livestock within such districts; adopting the provisions of certain statutes of Montana in connection with this Act; providing penalties for the violation of this Act and repealing all Acts in conflict herewith."	375, 423, 487, 527, 627.
113	A Bill for an Act entitled: "An Act relating to the open season for the killing and taking of elk in Park County, State of Montana, providing for the powers and duties of the Montana State Fish and Game Commission relative to the provisions of this Act, making the violation of this Act a misdemeanor, providing a penalty for such violation and repealing all Acts and parts of Acts in conflict herewith."	376, 395, 423, 469.
114	A Bill for an Act entitled: "An Act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto."	376, 628, 629, 686, 743, 744.

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115	A Bill for an Act entitled: "An Act to repeal Sections 5697 and 5724, Revised Codes of Montana, of 1921, and to amend Section 5695, Revised Codes of Montana of 1921, and to prohibit common law marriages in Montana."	376, 469, 490, 559.
116	A Bill for an Act entitled: "An Act to amend Sections 9256, as amended, and 9257 of the Revised Codes of Montana of 1921, relating to attachments and affidavits therefor."	395, 487.
117	A Bill for an Act entitled: "An Act to amend Section 8 of Chapter 89 of the Laws of the Twentieth Legislative Assembly of 1927, relating to the amount of capital stock and surplus necessary to the procuring of certificate of authorization, for the establishment of a commercial bank, and providing further for the fixing of the amount of capital stock and surplus necessary in cities or towns of different population."	395, 423, 519, 584, 586, 592, 643, 735, 749, 750, 771, 801, 802.
118	A Bill for an Act entitled: "An Act to amend Section 6170 and Section 6183 of the Revised Codes of Montana, 1921, relating to rural mutual fire insurance companies."	395, 426, 487, 518, 627, 633, 639, 812, 855, 864, 885, 933.
119	A Bill for an Act entitled: "An Act to establish a State Board of Examiners in the basic sciences to provide for its organization and powers, to provide that certification by such board be a prerequisite to eligibility for examination to practice the healing arts, to provide the fees required for the taking of an examination in the basic sciences to provide for such an examination, to define basic science, to define the healing arts, and to provide the penalties for violation of this Act."	395.
120	A Bill for an Act entitled: "An Act establishing and defining the boundary line between Park and Carbon Counties."	426, 558.
121	A Bill for an Act entitled: "An Act to amend Section 3 of Chapter 108 of the Session Acts of the Twentieth Legislative Assembly of Montana of 1927, relating to oil and gas leases on state lands and authorizing the State Board of Land Commissioners to grant exploratory permits covering not to exceed two thousand five hundred sixty (2,560) acres of land for the purpose of testing undeveloped areas or structures for oil and gas."	426, 520, 584, 586, 634, 637, 640, 854.
122	A Bill for an Act entitled: "An Act to amend Section 10 of Chapter 105 of the Session Acts of the Twenty-third Session, 1933, limiting the number of state liquor stores."	426.

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123	A Bill for an Act entitled: "An Act to amend Section 3, Chapter 20, Extraordinary Session, of the Twenty-third Legislative Assembly for 1933 and 1934, and providing a County Director of Emergency Relief and an Advisory Council.".....	426, 636, 684, 685, 742.
124	A Bill for an Act entitled: "An Act to amend Section 8868 of the Revised Codes of Montana of 1921, relating to the disqualification of Judges in civil and criminal actions."	426, 520.
125	A Bill for an Act entitled: "An Act relating to building and loan associations, and requiring such associations to annually file with County Assessors statements showing the names of their stockholders, and amounts standing to the credit of the shares of stock of such stockholders, and amounts owing to such associations on account of loans made to such stockholders, and providing a penalty for failure to file such statements."	427, 475, 519, 527, 559.
126	A Bill for an Act entitled: "An Act pertaining to purchases made in retail stores; providing for sales slips; providing penalties for the violation thereof."	427, 486, 520, 559.
127	A Bill for an Act entitled: "An Act to provide for the cooperation and coordination by the state and the governmental units thereof, and to encourage state and national industrial recovery by cooperation with the National Government in aid of effectuatnig the objects and purposes and benefits of such national legislation whereby moneys, funds and resources are made available to promote the rehabilitation of agriculture, trade and industry; furnish relief for unemployment by authorizing the State Water Conservation Board to make loans and accept grants from the President or any and all departments or agencies of the United States for flood control projects, irrigation systems and projects, conservation, maintenance and operation of projects in the reclamation of lands within the state, electrification and rehabilitation, or any other public work of a beneficial character; to accept from private owners deeds or other instruments of trust relating to land, improve and sell the same; to execute and perform agreements and contracts relating to the construction and financing of such projects by any department or agency of the United States, to issue revenue bonds payable out of the revenues derived from any project or system of irrigation, electrical service or other public works; and conferring additional authority, power and duty upon	

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	the Water Conservation Board of the State of Montana."	425, 474, 520, 559, 628, 657, 660, 822, 823, 841, 848, 858, 885, 933, 962.
128	A Bill for an Act entitled: "An Act designating the manner of selection, adoption, purchase, and exchange of textbooks for use in the public schools of Montana; prescribing rules and regulations covering the same; prescribing the powers and duties of school officers and boards in connection therewith; prescribing certain conditions to be complied with by persons, companies, and corporations offering such textbooks for adoption, sale, or exchange in the State of Montana; providing penalties for violations of this Act; and repealing Sections 1187 to 1196 inclusive, and Section 1200 of the Revised Codes of Montana of 1921; Chapter 25 of the Session Acts of the Nineteenth Legislative Assembly of Montana of 1925 and other Acts and parts of Acts in conflict herewith."	425, 473, 519, 584, 586, 592, 753, 791, 811, 824.
129	A Bill for an Act entitled: "An Act providing for the filing of notices of chattel mortgages and renewals and assignments, and satisfactions thereof on livestock owned by owners of recorded brands, in the office of the General Recorder of Marks and Brands, and the listing of the same in the principal livestock markets with livestock commission stock inspectors, prescribing the form of such notices and providing what they shall contain and who shall furnish the same, the fee to be charged therefor and to be paid into the livestock commission fund, and non-liability of the General Recorder of Marks and Brands and the Livestock Commission and its agents and employees."	469, 487, 520, 559, 627, 634, 640, 661, 662, 735, 750, 771, 801, 802, 897.
130	A Bill for an Act entitled: "An Act to amend Section 7727 of the Revised Codes of Montana of 1921, relating to the penalty for usury, action to recover excessive interest."	469, 628.
131	A Bill for an Act entitled: "An Act to amend Section 4736 of the Revised Codes of Montana of 1921, relating to the keeping open of county offices."	469, 488.
132	A Bill for an Act entitled: "An Act to amend Section 2 of Chapter 33 of the Session Acts of the Twentieth Legislative Assembly of Montana of 1927, relating to the exclusion of territory from the corporate limits of cities and towns, and pro-	

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	viding for the vacation of streets, alleys, avenues and public places upon the exclusion of such territory."	469, 559, 627, 638, 682, 683, 723, 872, 874, 903, 904, 930, 944, 962.
133	A Bill for an Act entitled: "An Act regulating the rank and priority of liens for general taxes and assessments for local improvements in cities and towns."	470, 527, 634, 683, 719, 725, 745, 762, 779, 831.
134	A Bill for an Act entitled: "An Act providing for the foreclosure of special assessment liens by owner of unpaid bond and prescribing procedure thereon."	470, 634, 683, 684, 719, 726, 742, 744, 780, 793, 831.
135	A Bill for an Act entitled: "An Act to amend Section 12288 of the Revised Codes of Montana 1921, as amended by Chapter 185 of the Session Laws of the Twenty-third Legislative Assembly of the State of Montana."	470, 559.
136	A Bill for an Act entitled: "An Act to amend Section 7726, Revised Codes of Montana of 1921, relating to interest and the amount that parties may agree to and what charges are prohibited."	470, 634.
137	A Bill for an Act entitled: "An Act to make valid and enforceable written provisions or agreements for the arbitration of disputes, and repealing Sections 9972 to 9981 inclusive of the Revised Codes of Montana of 1921."	470, 520.
138	A Bill for an Act entitled: "An Act amending Section 4532 of the Revised Codes of Montana of 1921, as last amended by Chapter 19 of the Acts of the Extraordinary Session of the Twenty-third Legislative Assembly of 1933-34, relating to the establishment of residence for purpose of receiving county relief, and repealing all Acts in conflict herewith."	470, 636, 683, 685, 745.
139	A Bill for an Act entitled: "An Act to amend Section 4584 of the Revised Codes of Montana of 1921, as amended by Chapter 133 of the Session Acts of the Twenty-first Legislative Assembly of Montana of 1929, relating to the method of assessing the cost of improvements in rural improvement districts."	470, 487, 520, 559, 627, 634, 639, 781, 831, 839, 869, 896.
140	A Bill for an Act entitled: "An Act designating the Montana Rural Rehabilitation Corporation as a public agency of the state for the purpose of rehabilitation and relief, and requiring all public	

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	officers to cooperate with said commission in the relief of destitution and unemployment.".....	470, 636.
141	A Bill for an Act entitled: "An Act regulating the acquisition of residence for purposes of registration or voting, and repealing all Acts in conflict herewith."	470, 520.
142	A Bill for an Act entitled: "An Act to amend Chapter 59 of the Montana Session Laws of 1933, relating to the fees and salaries of County Coroners."	470, 488, 896.
143	A Bill for an Act entitled: "An Act to permit irrigation districts that have borrowed money from the United States, to change the boundaries of said district, with the consent of the land owners and the Secretary of Interior of the United States, by eliminating certain lands and providing the procedure for such elimination.".....	470, 558, 628, 637, 657, 683, 724, 793, 831, 840, 869.
144	A Bill for an Act entitled: "An Act to authorize the erection of a journalism buildnig for the Montana State University at Missoula, to authorize the procuring of funds for the construction of said building from the United States, and to authorize the transfer to the United States of title to the ground upon which the said building is to be erected, and to authorize the State Board of Education to enter into a contract with the United States or with any properly constituted person or body representing the United States, for the financing and erection of said building, and for compensation to the United States for the use of said building through the payment of rental, or otherwise, as may be required by the laws of the United States, or regulations adopted thereunder, and generally to authorize the State Board of Education to enter into such contract or contracts with the United States as may be required for the procuring of the necessary money to pay for the construction of said building, and to enter into proper and appropriate contracts with contractors, builders, and others, for the erection of such building, and to provide that such contract or contracts shall not be, and never shall become a charge against the State of Montana, or create a liability, debt or obligation of the State of Montana."	470, 520, 584, 586, 634, 637, 640, 753, 754, 792, 794, 795, 805, 846.
145	A Bill for an Act entitled: "An Act to amend Sections 1493 to 1497 inclusive of the Revised Codes of Montana of 1921, relating to the furnishing of free higher education to certain inmates of the	

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	State Orphans' Home, the State Industrial School and the State Vocational School for Girls.".....	471, 586, 628, 638, 682, 683, 724, 798, 855, 860, 885, 933.
146	A Bill for an Act entitled: "An Act for the prevention of the sale or giving away, except by licensed practitioners of medicine, osteopathy or other licensed practitioners of the healing arts and of licensed pharmacists, of contraceptive devices, or other articles, devices or appliances designed for that purpose, or for the purpose of preventing venereal disease, or sex inciting devices, and authorizing officers of the law to make arrests for violation of the Act, and to seize stocks of such articles unlawfully held or offered for sale, and prescribing a penalty for the violation of this Act."	471, 520, 585, 629, 657, 659, 661, 845, 868, 906, 931, 944, 962.
147	A Bill for an Act entitled: "An Act to change the boundary line between the Counties of Glacier and Pondera; taking from said County of Pondera certain territory and adding the same to said County of Glacier; providing for the appointment of commissioners to adjust indebtedness; providing for the transfer of school funds and delinquent taxes; providing for the transcribing and transfer of records and the transfer of actions pending in court; and providing that township, school, and other officers within the territory so transferred shall hold their offices for the balance of their term."	471, 660.
148	A Bill for an Act entitled: "An Act extending to June 1, 1936, the period of the public works emergency relief program authorized by Chapter 24 of the Acts of the Extraordinary Session of the Twenty-third Legislative Assembly of 1933-34, and repealing all Acts in conflict herewith."	471, 636, 719, 725, 742, 744, 745, 777, 831, 838, 839, 869, 896.
149	A Bill for an Act entitled: "An Act granting to the Montana Public Service Commission the right and power under certain conditions to purchase, transport and sell to the public, gasoline, automotive fuels, oils and lubricants and further granting said commission under certain conditions the right and power to enter into contracts with licensed retail gasoline dealers to sell the said products to the public; or to sell direct; providing for a record of all transactions and the fixing of reasonable rules and regulations for carrying out the provisions of this Act."	469.

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150	A Bill for an Act entitled: "An Act to amend Section 378 of the Revised Codes of the State of Montana relating to the reporting of decisions by the Justices of the Supreme Court and the salary for such services."	488, 520, 527, 585, 629.
151	A Bill for an Act entitled: "An Act creating the electrification authority of Montana for the purpose of promoting and encouraging the fullest possible use of electric energy in the state by making electric energy available to inhabitants of the state at the lowest cost consistent with sound economy and prudent management; authorizing the authority to buy, sell and distribute electric energy and to construct or otherwise acquire a system or systems for the transmission and distribution of electric energy to carry out the purposes of this Act; providing for the rights, powers and duties of the authority; authorizing and regulating the issuance of bonds by the authority; providing for the payment of such bonds and the rights of the holders thereof; and declaring an emergency."	488, 560, 628, 683, 719, 726, 744, 763, 792, 823, 841, 848, 858, 859, 885, 933, 962.
152	A Bill for an Act entitled: "An Act to amend Section 5084, Revised Codes of Montana, 1921, relating to the payment of judgments recovered against cities and towns."	488, 635, 637, 683, 684, 719, 726, 742, 744, 798, 799.
153	A Bill for an Act entitled: "An Act to prohibit the conducting of entertainments at, in, about or adjacent to any beer hall, room, establishment or premises in which beer is sold under the laws of Montana; defining the terms used in this Act; providing penalties for the violation of this Act, and repealing all Acts in conflict herewith."	488, 520, 527, 584, 586, 629, 657, 659, 661, 812, 813, 855, 856, 878, 901, 931, 932, 941, 954, 955, 956, 958, 961, 967.
154	A Bill for an Act entitled: "An Act abolishing liability of cities on account of defects in or unsafe conditions of streets and public ways."	488, 635, 637, 658, 659, 684, 685, 686, 744.
155	A Bill for an Act entitled: "An Act to permit the State of Montana and the counties of such state to cooperate with the State Water Conservation Board in the construction of water conservation	

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	projects within the State of Montana, and to permit the inclusion in such projects of state lands, school lands, and lands owned by counties, and subjecting such lands to certain obligations.".....	488, 559, 627, 637, 657, 683, 720, 821, 855, 860, 861, 885, 933, 962.
156	A Bill for an Act entitled: "An Act to amend Section 1475 of Chapter 113 of the Revised Codes of Montana, 1921, relating to application for admission to school—service of copies.".....	489, 659.
157	A Bill for an Act entitled: "An Act to amend Section 590 of the Revised Codes of the State of Montana, 1921, relating to the appointment of Judges of Election."	489, 660.
158	A Bill for an Act entitled: "An Act to authorize Boards of County Commissioners to take assignments of rent due to property owners under certain conditions in satisfaction for taxes due from said property owners."	489, 635.
159	A Bill for an Act entitled: "An Act to amend Section 2 of Chapter 12 of the Acts of the Twenty-third Legislative Assembly of 1933, relating to nepotism."	489, 634, 685, 742.
160	A Bill for an Act entitled: "An Act to amend Section 2, Chapter 18, of the Extraordinary Session Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933-34, to remove the limitation on the period of time during which the Oil Conservation Board of the State of Montana shall be in existence."	489, 628, 658, 659, 683, 684, 721, 871, 874, 900, 931, 944, 962.
161	A Bill for an Act entitled: "An Act to regulate the deposit of public moneys of counties, cities and towns and authorizing the acceptance of cashiers' checks of Federal Reserve Banks and as security for such deposits."	489, 559, 627, 638, 682, 683, 724, 733, 773, 786, 820, 827, 828.
162	A Bill for an Act entitled: "An Act to repeal Chapter 40 of the Session Laws of the Twenty-third Extraordinary Session of 1933 and 1934 amending Sections 2 and 28 of Chapter 181 of the Laws of Montana 1933, regulating rate of personal income tax to be paid and distribution of said tax."	489, 586.
163	A Bill for an Act entitled: "An Act to create a Milk Board, to exercise such supervision and con-	

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	trol pursuant to the provisions of this Act; to provide for the manner of selecting the members of said Milk Control Board and fixing their compensation; to prescribe and define the powers and duties thereof; to provide penalties for violation of this Act; to provide for licensing and collection of fees and the appropriation of the proceeds thereof for the purposes of this Act, and declaring an emergency."	489, 519, 527, 584, 586, 634, 637, 640, 728, 730, 802, 805, 828.
164	A Bill for an Act entitled: "An Act to amend Section 2 of Chapter 51 of the Session Acts of the Twenty-first Legislative Assembly of Montana, 1929, relating to expenditure by counties for the acquisition and maintenance of parks for public camping and recreational purposes."	489, 559, 627, 638, 682, 683, 724, 733, 773, 811, 813, 855, 859, 885, 933.
165	A Bill for an Act entitled: "An Act relating to the disposal of royalties and rentals hereafter received by the state from oil, gas and other mineral rights which have been reserved by the state from contracts and conveyances made prior to February 26, 1929, of lands acquired by the state through mortgage foreclosures, and providing for the payment of six and one-fourth per cent (6¼%) of such royalties or rentals to the purchasers of such lands."	489, 636, 683, 719, 725, 745, 758, 870, 874.
166	A Bill for an Act entitled: "An Act to amend Section 3685 of the Revised Codes of Montana of 1921, as last amended by Section 2 of Chapter 161 of the Session Acts of the Twenty-second Legislative Assembly of Montana of 1931 relating to fishing and hunting licenses, the fees to be paid for the same, and powers thereunder."	490, 628.
167	A Bill for an Act entitled: "An Act to provide for the destruction of old worthless reports, papers and records that have served their purpose and are substantiated by permanent records, in state, county, city and town offices under certain restrictions."	490, 559, 627, 638, 682, 683, 724, 733, 736, 750, 751, 771, 801, 802, 897.
168	A Bill for an Act entitled: "An Act to provide for the sale of beer by duly licensed retail vendors of alcoholic liquors, the apportionment of license fees collected, and to amend Section 4 of Chapter 106	

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	of the Laws of 1933, Regular Session, defining the alcoholic content of beer.".....	490, 585.
169	A Bill for an Act entitled: "An Act to authorize cities, towns and incorporated villages and the state, its subdivisions and agencies to cooperate with housing authorities and the United States of America by rendering services, conveying or leasing property, and providing for streets, roads and other facilities; to require any city of the first or second class located within a housing authority to make an appropriation for the first year's administrative expenses of such authority; to authorize cities, towns and incorporated villages located within housing authorities; and to declare an emergency requiring that this Act take effect from the date of its passage.".....	490, 636, 637, 683, 685, 737, 745, 746, 871, 874, 905, 930, 944, 962.
170	"An Act authorizing County Commissioners to deed county lands to the state for state park purposes."	520, 635, 658, 659, 683, 684, 721, 733, 736, 751, 759, 773, 810, 819, 846, 869, 896.
171	A Bill for an Act entitled: "An Act providing for the classification and basis upon which taxes shall be imposed upon all irrigated land, non-irrigated farm land, all grazing land, all city and town lots together with the improvement thereon (except improvements used for business or industrial purposes)."	520, 586.
172	A Bill for an Act entitled: "An Act to amend Section 1638 of the Revised Codes of Montana of 1921, relating to the decision of County Commissioners on a petition for establishing, changing or discontinuing highways, and designating the method of giving notice to interested parties."	521, 635, 658, 659, 683, 684, 722, 751, 773, 789, 820, 827, 828.
173	A Bill for an Act entitled: "An Act to revise Section 4482, Revised Codes of 1921, and Chapter 10 of Session Laws of 1929, relating to contracts for public printing, fixing the prices thereof, and providing a penalty for violation of this Act.".....	521, 635, 684, 685.
174	A Bill for an Act entitled: "An Act to permit counties which are indebted beyond the limit pro-	

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	vided by Section 5 of Article XIII of the Constitution to operate on a cash basis.".....	521, 629, 635, 683, 719, 726, 733, 736, 742, 744, 768, 801, 805, 826, 828, 897.
175	A Bill for an Act entitled: "An Act to declare the necessity of creating public bodies corporate and politic to be known as Housing Authorities to engage in slum clearance and/or projects to provide dwelling accommodations for persons of low income; to provide for the creation of such Housing Authorities; to define the powers and duties of Housing Authorities and to provide for the exercise of such powers, including acquiring property by purchase, gift or eminent domain, and including borrowing money, issuing revenue and credit bonds and other obligations, and giving security therefor; to confer remedies on obligees of Housing Authorities; to provide that Housing Authorities, their property and securities shall be tax exempt; and to declare an emergency requiring that this Act shall take effect from the date of its passage.".....	521, 636, 637, 719, 726, 742, 744, 745, 778, 792, 823, 841, 848, 858, 931, 944, 962.
176	A Bill for an Act entitled: "An Act authorizing the Commissioner of State Lands subject to the approval of the State Land Board, to enter into cooperative agreements with the Secretary of the Interior, and to exchange lands with the United States of America as provided for in the Act of Congress approved June 28, 1934, entitled as an Act to stop injury to the public grazing lands by preventing over-grazing and soil deterioration, to provide for their orderly use, improvement and development, to stabilize the livestock industry dependent upon the public range, and for other purposes.".....	521, 585, 636, 658.
177	A Bill for an Act entitled: "An Act to amend Sections 3779, 3782 and 3783 of the Revised Codes of the State of Montana of 1921, and repealing Sections 3780, 3786, 3784, 3788 and 3790 of the Revised Codes of the State of Montana of 1921 and Section 3787 of the Revised Codes of Montana of 1921, as amended by Chapter 90 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana of 1927, abolishing the Board of Railroad Commissioners of the State of Montana and providing that the duties of said board shall be performed by the State Board of Equalization of the State of Montana.".....	521, 659, 660, 742, 744.

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178	A Bill for an Act entitled: "An Act to regulate the conducting of tourist camps; providing for the sanitary operation and maintenance thereof; designating certain facilities and accommodations required to be provided by proprietors at such camps; providing for fire inspection and sanitary inspection of such camps; defining the terms used in this Act; providing penalties for the violation hereof and repealing all Acts in conflict herewith."	521, 586.
179	A Bill for an Act entitled: "An Act to amend Section 17 of Chapter 109 of the Session Laws of the Twenty-second Legislative Assembly of Montana of 1931 as last amended by Section 4 of Chapter 56 of the Session Laws of the Twenty-third Legislative Assembly of Montana of 1933, the same being an Act providing for the adoption of the managerial form of county government.".....	521, 635, 658, 659, 684, 686, 719, 725, 798, 855.
180	A Bill for an Act entitled: "An Act relating to the time for filing a claim with the employer, the insurer, or the Industrial Accident Board, under the Workman's Compensation Act, in case of personal injury to any public officer connected with or engaged in a hazardous occupation, and in case of personal injury to a person who when such injury occurred was a public officer connected with or engaged in a hazardous occupation.".....	522.
181	A Bill for an Act entitled: "An Act relating to the transportation to and from a school having more than one teacher, or in lieu thereof board and room or reimbursement of pupils who reside four (4) miles or more from such school and in the school district maintaining such school.".....	522, 585, 636, 658, 683, 722, 753.
182	A Bill for an Act entitled: "An Act providing for the acquisition, purchase, construction, reconstruction, improvement, betterment, extension, operation and maintenance of revenue-producing undertakings by any city and town, however organized; authorizing and regulating the issuance of revenue bonds for financing such undertakings; and providing for the payment of such bonds and the rights of holders thereof.".....	522, 635, 637, 683, 720, 721, 745, 870, 874, 878, 879, 931, 944, 962.
183	A Bill for an Act entitled: "An Act to amend Section 624 of the Revised Codes of Montana of 1921; and to repeal Sections 631, 633, 634, 635, 636, 637, 638, 646, 647, 650, 653, 654, 655, 656, 657, 658, 659, 660, 661, 664, 665, 666, 667, 668, 669, 670 of the Revised Codes of Montana of 1921; and to repeal Section 632 of the Revised Codes	

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	of Montana of 1921, as amended by Chapter 3 of the Session Laws of the Twentieth Legislative Assembly of 1927; and to repeal Section 639 of the Revised Codes of Montana of 1921, as amended by Chapter 7 of the Session Laws of the Twentieth Legislative Assembly of 1927; and to repeal Section 640 of the Revised Codes of Montana of 1921, as amended by Chapter 133 of the Session Laws of the Eighteenth Legislative Assembly of 1923, and as further amended by Chapter 125 of the Session Laws of the Twentieth Legislative Assembly of 1927; and to repeal Sections 641, 644 and 645 of the Revised Codes of Montana of 1921, as amended by Chapter 133 of the Revised Codes of Montana of 1923; and to repeal Sections 648 and 649 of the Revised Codes of Montana of 1921, as amended by Chapter 12 of the Session Laws of the Nineteenth Legislative Assembly of 1925 and to repeal Section 651 of the Revised Codes of Montana of 1921, as amended by Chapter 133 of the Session Laws of the Eighteenth Legislative Assembly of 1923, and as further amended by Chapter 14 of the session of the Twentieth Legislative Assembly of 1927, and as further amended by Chapter 67 of the Session Laws of the Twenty-first Legislative Assembly of 1929; and to repeal Section 652 of the Revised Codes of Montana of 1921, as amended by Chapter 133 of the Session Laws of the Eighteenth Legislative Assembly of 1923; and to repeal Section 662 of the Revised Codes of Montana of 1921; as amended by Chapter 98 of the Session Laws of the Twentieth Legislative Assembly of 1927, and as further amended by Chapter 34 of the Session Laws of the Twenty-first Legislative Assembly of 1929; and relating to primary elections; and to repeal all Acts and parts of Acts in conflict herewith; and providing for a referendum of this measure to the voters of Montana."	522, 628, 629.
184	A Bill for an Act entitled: "An Act authorizing County Commissioners to levy not to exceed Twenty-five Mills on the taxable property of the county for county purposes, and repealing all Acts and parts of Acts in conflict herewith."	522, 627, 658, 659, 686.
185	A Bill for an Act entitled: "An Act providing for the abandonment and abolishment of counties and for attaching the territory of abandoned and abolished counties to adjoining counties, upon vote of the electors of such counties, and the procedure therefor; providing that the terms of office of members of Board of County Commissioners, officers and such counties and Representatives and Senators of such counties in the Legislative Assembly of the State of Montana shall cease and terminate upon the abandonment and abolishment	

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	of counties; providing for the payment of the indebtedness of such counties and for tax levies for such purposes; and providing for the disposition of the moneys, credits and property owned by abandoned and abolished counties."	523, 660.
186	A Bill for an Act entitled: "An Act to amend Sections 2382 and 2383 of the Revised Codes of Montana of 1921, as amended by Chapter 150 of the Laws of 1923 and by Chapter 186 of the Laws of 1925 and by Initiative Measure No. 31, Laws of 1927, and as amended by Chapter 6 of the Session Laws of 1931; and also to amend Section 3, Chapter 19 of the Laws of 1927; being Sections 2396.2 and 2396.3 respectively, of the supplement to the Revised Codes of Montana 1923-27, as amended by Chapter 92 of the Laws of 1929, and as amended by Chapter 6 of the Session Laws of 1931, requiring all persons, co-partnerships, firms, associations, joint stock companies, syndicates and corporations engaged in, or carrying on the business in this state of selling, handling or using gasoline, to pay to the State Board of Equalization certain license taxes for engaging in, and carrying on such business in this state; fixing the amount of such license taxes and providing a method for the assessment and collection thereof."	523, 636, 683, 685, 722, 745, 762, 805.
187	A Bill for an Act entitled: "An Act prohibiting the use of voting machines in the State of Montana and repealing Sections 757 to 773, inclusive, of the Revised Codes of Montana, 1921, and all other Acts in conflict herewith."	523, 586, 628, 637, 657, 658, 659, 683, 684, 722, 843,
188	A Bill for an Act entitled: "An Act providing for the cancellation of registration, re-registration, registration and identification of electors in all counties wherein the number registered electors shall exceed 22,000 and providing for the enforcement of this Act, and penalties for the violation hereof."	523, 586, 628, 637, 657, 683, 722, 843, 868, 879.
189	A Bill for an Act entitled: "An Act to amend Section 590 of the Revised Codes of the State of Montana, 1921, relating to the appointment of Judges of Elections."	523, 585, 628, 638, 682, 683, 724, 738, 792, 795, 828, 846.
190	A Bill for an Act entitled: "An Act providing for consolidation of school districts; providing for transportation; providing for officers and providing certain districts shall not receive aid from the state equalization fund."	523, 659.

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191	A Bill for an Act entitled: "An Act relating to state lands; providing for the resale and purchase of such lands upon the cancellation of certificates of purchase; assuring certain preference rights to the original purchaser in the event of a resale; authorizing reappraisement of lands by the State Board of Land Commissioners in case of a resale; specifying the terms and conditions of resale contracts and repealing Section 89 of Chapter 60 of the Session Acts of the Twentieth Legislative Assembly of Montana of 1927, as amended by Chapter 101 of the Twenty-first Legislative Assembly of Montana of 1929 and all other Acts and parts of Acts in conflict herewith.".....	524, 586, 628, 638, 657, 683, 723, 829, 850, 873, 875, 931, 944, 962.
192	A Bill for an Act entitled: "An Act relating to the payment for state lands under certificates of purchase and the reinstatement of cancelled certificates of purchase in whole or in part.".....	524, 586, 628, 638, 657, 683, 723, 842, 873, 877, 878, 931, 944, 962.
193	A Bill for an Act entitled: "An Act authorizing Boards of County Commissioners to establish grazing zones and to establish complete control over expenditures for public services in such zones."	524, 635, 683, 684, 719, 726, 742, 744, 842, 843.
194	A Bill for an Act entitled: "An Act to prohibit the taking of an amount in addition to interest upon the making of a loan of over One Hundred Dollars (\$100.00) except business charges made in the regular order of business in the sale of goods, wares and merchandise, and permitting the taking of ten per centum interest on all loans under One Hundred Dollars (\$100.00), and defining personal finance charges, and making it a misdemeanor."	524, 628, 637, 657, 686.
195	A Bill for an Act entitled: "An Act to amend Section 4141 of the Revised Codes of Montana of 1921, relating to the compensation of title abstractors; establishing a schedule of fees for the service of such abstractors, and providing penalties for the violation of this Act.".....	524, 586, 629, 686, 742, 744.
196	A Bill for an Act entitled: "An Act to amend Section 2235 of the Revised Codes of Montana of 1921 as last amended by Chapter 33 of the Session Acts of the Extraordinary Session of the Twenty-third Legislative Assembly of 1933-34, re-	

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	lating to the sale of unredeemed property by County Commissioners."	524, 635.
197	A Bill for an Act entitled: "An Act to amend Section 1219 of the Revised Codes of Montana of 1921 as amended by Chapter 120, Acts of the Nineteenth Legislative Assembly and to amend Sections 1221 and 1222 Revised Codes of Montana of 1921, all relating to the voting of additional school levies for district school purposes."	524, 627, 637, 657, 683, 723, 799, 855, 863, 864, 885, 933.
198	A Bill for an Act entitled: "An Act authorizing the issuance of bonds of the State of Montana to refund indebtedness of said state evidenced by warrants, and providing for the payment thereof."	524, 636.
199	A Bill for an Act entitled: "An Act defining certain Acts in the handling of the finances of mining and oil companies operating within the State of Montana as fraudulent; providing for the prosecution of said fraudulent Acts, and fixing penalties upon the conviction thereof."	524, 628, 658, 659, 683, 684, 723, 779, 793, 808, 846.
200	A Bill for an Act entitled: "An Act defining 'accommodation smelters' and 'custom smelters'; providing an emergency exists making 'custom smelters' a public convenience and necessity thereby making 'custom smelters' a public utility; defining the duties of the Public Service Commission of Montana relative to 'custom smelters'; providing for the appointment and duties of an 'umpire'; fixing reasonable rules and regulations for the weighing and sampling and adjusting disputed claims on ore shipments to 'custom smelters' and providing a fee from ore to be smelted for carrying out the provisions of this Act and creating a special fund from such receipts to be known as a 'smelter umpire fund'."	525, 683.
201	A Bill for an Act entitled: "An Act to amend Chapter 40 of the Session Laws of the Twenty-third Legislative Assembly Extraordinary Session, amending Sections 2 and 28, Chapter 181, of the Laws of Montana, 1933, regulating rate of personal income tax to be paid, and distribution of said tax."	525, 586.
202	A Bill for an Act entitled: "An Act to prohibit and declare void certain contracts, conditions, agreements and understandings in connection with the sale or contract to sell motor vehicles by manufacturers or distributors thereof, and prohibiting the giving of payment of any thing or service of value by any manufacturer or distrib-	

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	utor of motor vehicles to any one engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles, and the acceptance or receipt thereof by any such person when competition in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles may be lessened or eliminated, or a monopoly created or tended to be created, and prohibiting from doing business in this state any one engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles who so accepts or receives any thing or service of value from any manufacturer or distributor of motor vehicles, and prescribing penalties, forfeitures and recoveries for the violation thereof."	525, 634, 683, 685 745.
203	A Bill for an Act entitled: "An Act authorizing the Montana Liquor Control Board to issue 'hotel licenses'; to permit the sale of liquor to be consumed on the premises; defining the terms 'hotel, restaurant, cafe and cafeteria,' and other terms used in this Act; fixing the amount of license fees therefor; prescribing the hours during which liquors may be sold; prohibiting the sale of liquors to minors and other designated persons; authorizing the Montana Liquor Control Board to prescribe rules and regulations under, and by which, the hotel license may be conducted; prohibiting the sale or traffic in any liquors other than purchased at state liquor stores, and providing for the issuance of permits to hotels to purchase supplies from said liquor stores and providing penalties for the violation thereof."	525, 634, 637, 683, 684, 742, 745.
204	A Bill for an Act entitled: "An Act to amend Section 8944 of the Revised Codes of Montana, 1921, finding who shall be deemed to be practicing law and what shall be considered as practicing law, and providing a penalty for the violation of this section."	525, 628.
205	A Bill for an Act entitled: "An Act to provide for the appointment of a committee to investigate and recommend to the next session of the Legislature a plan for the simplification of public legal documents and evidences of transfer of title of property; designating the composition of said committee; providing its compensation and duties, and appropriating money therefor."	525, 629, 658, 659, 683, 684, 723, 797, 855.

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206	A Bill for an Act entitled: "An Act creating the office of Legislative Secretary; defining the powers and duties of such officer, and fixing his term of office and compensation."	526, 586.
207	A Bill for an Act entitled: "An Act to amend Section 2899 of the Revised Codes of Montana, 1921, relating to Workmen's Compensation Act."	526, 558, 585, 629, 657, 659, 661, 734, 773, 824, 848, 855, 863, 866, 869, 870, 873, 876, 894, 898, 931, 944, 962.
208	A Bill for an Act entitled: "An Act relating to payments on bonds and warrants of special improvement districts, and prescribing a period of limitation for accepting or rejecting the provision thereof."	526, 635, 683, 719, 726, 744, 780, 831.
209	A Bill for an Act entitled: "An Act prohibiting the sale of commodities in retail stores and wholesale warehouses on Sundays and holidays and between the hours of 6 o'clock P. M. and 8 o'clock A. M., on week days in cities and towns in this state containing more than twenty-five hundred inhabitants; defining terms used therein; stating exemptions from the provisions of the Act and providing penalties for violations thereof."	526, 636, 637, 684, 685.
210	A Bill for an Act entitled: "An Act to amend Section 270 of the Revised Codes of Montana, 1921, as amended by Chapter 122 of the Laws of the Nineteenth Legislative Assembly of the State of Montana, and authorizing the State Board of Examiners to invest special funds in the state general fund warrants and bonds and warrants of the several counties, cities and towns of the State of Montana."	526, 585.
211	A Bill for an Act entitled: "An Act to amend Section 2000 of the Revised Codes of Montana of 1921, relating to percentage of value of property for the imposition of taxes."	526, 586.
212	A Bill for an Act entitled: "An Act limiting the time within which an action for the recovery of real property of any dissolved corporation, or for possession thereof or the rents or profits thereof, may be brought by any stockholder, officer, director or other person claiming under or through said corporation."	526, 628, 637, 657, 683, 723, 780, 831, 838, 869, 896.
213	A Bill for an Act entitled: "An Act making the State Treasurer custodian for any moneys which the Treasurer of the United States under the Tay-	

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	lor Grazing Act, approved June 28, 1934 (Public No. 482), may pay to the State of Montana, and making it the State Treasurer's duty to apportion and allocate these moneys to the County Treasurer to allocate and pay to the grazing districts from which they were originally collected, to be used for construction of range improvements and maintenance."	526, 635, 683, 719, 721, 745, 856, 874, 875, 901, 911, 912, 913, 931, 944, 962.
214	A Bill for an Act entitled: "An Act permitting injured workmen or public officer to file claims for compensation for alleged industrial accident injury and disability after the expiration of six months from the date of the happening of the accident, injury and disability and permitting notice thereof to be deemed given."	526, 558, 585, 629, 657, 659, 661, 733, 734, 773, 786, 787, 819, 827, 828.
215	A Bill for an Act entitled: "An Act to amend Section 18 of Chapter 46 of the Laws of the Extraordinary Session of the Twenty-third Legislative Assembly, relating to the licensing and regulation of the manufacture, sale and distribution of beer and other similar fermented beverages, and repealing all Acts and parts of Acts in conflict therewith."	526, 628, 658, 659, 683, 684, 724, 762.
216	A Bill for an Act entitled: "An Act providing for the creation of power districts; prescribing powers and duties of such districts; and authorizing such districts to conduct and operate utilities for the production, transmission or distribution of electric energy, and to issue bonds and providing for the payment of such bonds; and declaring an emergency."	527, 560, 628, 866.
217	A Bill for an Act entitled: "An Act to amend Chapter 109 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana, relating to the regulation and sale of gasoline and other petroleum products, by adding after Section 19 thereof, a new section to be known as Section 19-A, providing for the revocation by the Public Service Commission of the license to engage in the business of selling gasoline and other petroleum products issued to any person, firm, partnership, association or corporation, and granting the right of appeal where such revocation is ordered."	527, 635, 683, 719, 725, 739, 745, 758, 772, 798, 830, 849, 854, 873, 874, 905, 906, 930, 944, 962.

No.	Title of Bill	Page
218	A Bill for an Act entitled: "An Act to amend Chapter 181 of the Session Laws of the Twenty-third Legislative Assembly of 1933, by addition thereto three new sections to be numbered respectively Section 4-A, Section 4-B and Section 4-C, relating to the method of ascertainment of gain or loss from the sale or exchange of property for the purpose of determination of income tax.".....	586, 635, 637, 683, 685, 719, 726, 744, 781, 831, 836, 869, 874, 896.
219	A Bill for an Act entitled: "An Act authorizing the State Board of Land Commissioners to acquire or lease property for development as state forests and state parks and providing for the disposition of income from such lands.".....	627, 637, 684, 685.
220	A Bill for an Act entitled: "An Act to provide for the ratification and approval of the Yellowstone River Compact."	658, 659, 660, 719, 725, 742, 744, 745.
221	A Bill for an Act entitled: "An Act authorizing the State Land Board to enter into cooperative agreements with the Secretary of the Interior or with State Cooperative Grazing Associations.".....	743, 744, 745.

No.	Title	Page
SENATE JOINT MEMORIALS		
1	"A Resolution memorializing the Congress of the United States endorsing the passage and approval of the bill introduced by the Honorable Burton K. Wheeler, United States Senator from Montana, fixing the free and unlimited coinage of silver on a basis of sixteen ounces of silver to one ounce of gold."	333, 362, 376, 426, 427, 465, 856, 862, 885, 933.
2	A Joint Memorial memorializing the Congress of the United States and the Secretary of Labor that they take appropriate action to prevent the return of those men and women now in Germany who went there to exercise their right to vote in the Saar Plebiscite controversy.	375.
3	A Resolution memorializing the Congress of the United States, for the early passage of legislation providing for the construction of highways in or adjacent to National Forests to mining districts and providing for suitable appropriations to the Forestry Department for carrying out the recommendation of the State and County Planning Boards in the construction of said highways.	425, 473.
4	A Memorial to the Secretary of the Interior relative to the Buffalo Rapids Reclamation Project and requesting the aid of the Federal Government in the construction of said project.	518, 559, 627, 638, 682, 683, 724, 738, 792, 856, 862, 885, 933.
5	A Joint Memorial to the Honorable House of Representatives of the United States of America in Congress assembled, requesting that the Department of Agriculture of the United States be respectively urged to withdraw the orders whereby it seeks to take to itself as against the rights of the State of Montana and its State Fish and Game Department the absolute and exclusive control of all fish, game and fur-bearing animals lying within the boundaries of National Forests.	585, 628, 658, 659, 683, 684, 724, 764, 792, 856, 863, 884, 933.
SENATE MEMORIAL		
1	"A Memorial to the Honorable President of the United States and to the Honorable Secretary of State of the United States, protesting against the reduction of the duty on manganese."	246, 420.

No.	Title of Bill	Page
SENATE JOINT RESOLUTIONS		
1	A Resolution memorializing the Congress of the United States for the passage of legislation providing for the immediate conversion into cash of the adjusted compensation certificate of the soldiers of the World War.....	21, 66, 72, 79, 80, 81, 84, 88, 89, 95, 110, 115, 118.
2	A Resolution memorializing the Congress of the United States for the passage of legislation for the creation and establishment of a pension benefit to be paid to all persons over the age of sixty years.	21, 60, 72, 79, 80, 81, 115, 151, 171, 206, 207, 231, 264, 278, 280, 299.
3	A Joint Resolution providing for the employment of additional help during the Twenty-fourth Legislative Session of the State of Montana.....	61, 66, 72, 79, 80, 81, 86, 88, 89, 95, 102, 123, 146.
4	A Joint Resolution fixing the compensation of all employees of the Senate and House of Representatives of the Twenty-fourth Legislative Assembly of Montana of 1935.".....	66, 67, 158, 161, 182, 183, 189, 275.
5	A Resolution requesting the enactment by Congress of the United States of Senate Bill No. 266 now pending in the Senate of the United States, being a bill to provide for the erection of a public historical museum in the Custer Battlefield National Cemetery in Montana.	279, 333, 362, 376, 420, 426, 427, 466, 792, 856, 861, 885, 933.
6	A Resolution memorializing the Congress of the United States to repeal the fourth section of the Interstate Commerce Act, or to amend same, as proposed by the Pettengill Bill, H. R. 3263, introduced in the House of Representatives at the present session of Congress.	488, 586, 636, 657, 683, 725, 823, 856, 873, 874, 943, 950.
7	A Resolution requesting the Congress of the United States to reimburse Roosevelt and Lake Counties, Montana, and other counties similarly situated, by the Federal Government for expenses incurred by said counties in the arrest and trial of Indian	

No.	Title of Bill	Page
	wards and for their maintenance while imprisoned.	518, 559, 627, 637, 638, 682, 683, 724, 738, 792, 856, 861, 862, 885, 933.
8	"Providing that the Montana Rural Rehabilitation Corporation be recognized and designated as a public agency and instrumentality of the state, for the purpose of assisting in the rehabilitation of individuals and families as self-sustaining human beings, and authorizing the various officers, boards, courts and governing bodies of the state now engaged in the relief of destitution and unemployment to cooperate with said corporation."..	719, 725, 742, 744, 745, 777, 856, 914, 961, 967.
SENATE RESOLUTIONS		
3	Requesting that State Director of Relief and all Relief Administrators of the various relief agencies and the House Committee on Relief meet jointly with the committee of the Senate at as early a date as possible.....	144.
14	A Resolution commenting upon the action of the House in ordering publication and distribution of an anonymous communication at the expense of the taxpayers of the state.....	971.

HOUSE JOURNAL

OF THE

TWENTY-FOURTH LEGISLATIVE ASSEMBLY

OF THE

STATE OF MONTANA

FIRST DAY

House of Representatives,
Helena, Montana, January 7, 1935.

Pursuant to the Constitution of the State of Montana, at the hour of 12:00 o'clock noon, the House of Representatives of the Twenty-fourth Legislative Assembly of the State of Montana, was called to order by the Honorable Sam W. Mitchell, Secretary of State of the State of Montana.

At the request of the Secretary of State, Reverend C. E. Gauer, Cascade County, gave the invocation.

The Secretary of State then appointed John J. Jewell of Judith Basin County, Temporary Chief Clerk, Hilda Richeson of Carbon County, Temporary Journal Clerk, and Horace Casey of Silver Bow, Temporary Sergeant-at-Arms.

The Clerk called the roll. All members were present.

Certificates of election were presented and the Honorable John A. Matthews, having been introduced by the Secretary of State, administered the following oath:

"I do solemnly swear (or affirm) that I will support, protect and defend the Constitution of the United States, and the Constitution of the State of Montana, and that I will discharge the duties of my office as a member of the House of Representatives of the Legislative Assembly of the State of Montana, with fidelity; that I have not paid or contributed, or promised to pay or contribute, either directly or indirectly, any money or other valuable thing to procure my nomination or election (or appointment) except for necessary and proper expenses expressly authorized by law; and I have not knowingly violated any election law of this state, or procured it to be done by others in my behalf; that I will not knowingly receive, directly, or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office other than the compensation allowed by law, SO HELP ME GOD."

Thereupon the following members, having presented their certificates of election subscribed to the foregoing oath:

Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Caldwell, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nel-

son, Nutting, O'Brien, O'Byrne, O'Connor, Omsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Pilgeram, Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York. All present.

The Secretary of State, having called for nominations for Speaker, Byrne of Toole nominated W. P. Pilgeram of Cascade County and Leavitt of Custer County nominated G. M. Moss of Flathead County; the nominations were duly seconded. There being no other nominations for Speaker, the Secretary of State declared the nominations closed. The roll was called and the following votes were cast for Pilgeram:

Acher, Ballard, Bertsche, Boone, Brennan, Burris, Buttelman Byrne, Chapman, Conner, Connors, Cusick, Doe, Emmett, Emmons, Ewing, Goodwin, Gordon, Gray, Groene (Fergus), Haight, Hamilton, Harlen, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kuhl, Leary, Lemmer, Lippard, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Neary, Nelson, Nutting, O'Brien, O'Byrne, Ormsbee, Petersen (Sheridan), Peterson (Gallatin) Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Whaley, White (Judith Basin), York. Total 70.

The following votes were cast for Moss:

Ahlgreen, Anderson, Balgord, Busch, Caldwell, Chamberlain, Coultas, Ecton, Egan, Foor, Fowler, Green (Dawson), Hall, Harwood, Haugan, Kruse, Lasby, Leavitt, Liggett, Lott, Lovell, Mundy, O'Connor, Padbury, Parker, Pilgeram, Scofield, Smith, Toomey, Watson, White (Hill), Worden. Total 32.

The Secretary of State appointed Byrne and Moss to escort the Speaker to the Chair.

The Speaker having assumed the Chair, Byrne moved that the Rules, Joint Rules and Order of Business of the Twenty-third Legislative Assembly be adopted as the Rules, Joint Rules and Order of Business of the Twenty-fourth Legislative Assembly, until the Committee on Rules, Joint Rules and Order of Business shall report. Motion seconded and carried.

It was moved by Byrne and duly seconded, that the following Democratic nominees be elected as officers and attaches of the House of the Twenty-fourth Legislative Assembly:

Speaker Pro Tem	H. D. Rolph
Floor Leader	E. J. Byrne
Chaplain	C. E. Gauer
Sergeant-at-Arms	Horace F. Casey
Chief Clerk	John J. Jewell
Journal Clerk	Hilda Richeson
Assistant Sergeant-at-Arms	Albert B. Repogle

It was moved by Moss, duly seconded, that the following Republican nominees be elected as officers of the House of the Twenty-fourth Legislative Assembly:

Speaker Pro Tem	Albert Kruse
Floor Leader	William B. Leavitt

It was moved by Byrne that the Chief Clerk be instructed to cast 68 votes for the Democratic nominees and 34 votes for the Republican nominees. Motion duly seconded and carried. Vote was so cast and the Speaker declared the Democratic Officers and attaches elected.

It was moved by Byrne, duly seconded and carried, that a committee of three members be appointed to notify his Excellency, the Governor,

that the House is now organized and ready to receive any message he wishes to convey. The Speaker appointed the committee as follows: Stromnes of Cascade, Emmons of Deer Lodge and Fowler of Yellowstone.

It was moved by Byrne, duly seconded and carried, that a committee of three members be appointed to notify the Honorable Senate that the House is organized and ready for business. The Speaker appointed the committee as follows: Goodwin of Silver Bow, Masterson of Custer and Lasby of Broadwater.

The Speaker announced the appointment of the following committees:

Employment: Masterson of Custer, Chairman; Mulholland of Silver Bow, Vice Chairman; Manning of Treasure, Conner of Teton, Emmons of Deer Lodge, Stevens of Cascade and Kruse of Garfield.

Mileage and Per Diem: Rolph of Liberty, Chairman; Whaley of Prairie and Parker of Flathead.

Seating Committee: Goodwin of Silver Bow, Chairman; Stevens of Cascade and Fowler of Yellowstone.

Rules, Joint Rules and Order of Business: Byrne of Toole, Chairman; Rolph, Moss, Kruse and Mr. Speaker.

It was moved by Byrne, duly seconded and carried, that the Speaker be authorized to appoint a clerk and page to assist him in the duties of the House and that the Majority Floor Leader be authorized to appoint a clerk to assist him in his duties in the House.

It was moved by Byrne, duly seconded and carried, that the Committee on Employment appoint a clerk to assist the Minority Floor Leader in his duties in the House.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Joffray and Stromnes: A Bill for an Act entitled: "An Act relating to Unemployment Reserves and Compensation."

The Committee appointed to notify the Senate that the House was organized, reported that they had so notified the Honorable Senate.

A committee from the Senate reported that the Honorable Senate was organized and ready for business.

The committee appointed to notify his Excellency, the Governor, that the House was organized, reported that on tomorrow, January 8, 1935, the Governor will deliver his message to the Joint Session of the House and Senate at 12:00 o'clock noon.

The members were requested to file their preferences for Committee Appointments with the Speaker at the earliest possible moment, selecting not less than three nor more than five committees.

It was moved by Byrne, duly seconded and carried that the House adjourn until 11:00 o'clock a. m., January 8th, 1935.

W. P. PILGERAM

Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

SECOND DAY

House of Representatives,
Helena, Montana, January 8, 1935.

House met, pursuant to adjournment, at 11:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members were present.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Leavitt: A Bill for an Act entitled: "An Act to repeal Sections 18, 19, 20, 21, 22, 23, 24, 25, 26 and 27 of Chapter 105 of the Session Laws of the Twenty-third Legislative Assembly, (1933)."

By McLaughlin: A House Joint Memorial entitled: "Memorial to the Congress of the United States requesting the speedy consideration of the Old Age Pension Plans and Proposals known as the Monaghan Bill and the Townsend Old Age Pension Plan, with a view to final Congressional enactment of a Comprehensive Old Age Pension Statute providing substantial relief to aged persons within the United States."

By Harlen: A Bill for an Act entitled: "An Act to repeal Subdivision (A) of Sub-section (3) of Section 18 of Chapter 105 of the Laws of the Twenty-third Session of the Legislature of the State of Montana relating to fees for individual permits to purchase liquor."

By O'Brien and Mitchell: A Bill for an Act entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Article XVIII of the Constitution of the State of Montana, relating to labor, by changing Section 3 of said Article XVIII to provide for a period of six hours or less to constitute a day's work on all works or undertakings carried on by any municipal, county or state government, and school districts of the first class, and on all contracts let by them, and for all janitors, engineers, firemen, caretakers, custodians, and laborers employed in and about any buildings, works or grounds used or occupied by any municipal, county, or state government, school district of the first class, flour mills, packing plants, and in mills and smelters for the treatment of ores, and in underground mines, and in the washing, reducing or treatment of coal, and in handling hoisting engines at or in any mine, and in cement plants, quarries, hydro-electric dams, strip mining, sugar refineries, retail stores, wholesale warehouses used in supplying retail establishments with goods, and in the erection, construction, repair, improvement, or maintenance of buildings; and for telephone operators."

By Egan: A Memorial entitled: "A Memorial to the Congress of the United States of America requesting the passage of the Townsend Old Age Revolving Fund Pension Plan."

By Masterson and Leavitt: A Bill for an Act entitled: "An Act for the submission to the qualified electors of the State of Montana, an amendment to Section 2 of Article 12 of the Constitution of the State of Montana relating to exemption of property from taxation and authorizing the Legislature to exempt real property used for residential purposes in an amount af not to exceed \$3000.00 of the value thereof."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Employment, having had under consideration applicants for employment, beg to submit the following appointments:

Assistant Sergeant-at-Arms	W. L. Cain
Telephone	Florence Baldwin, Ruth Schlenske
Pages	Lewis Leathers, Pete Curran
Doorkeepers	Bill Crowley, Dennis Daugherty
Stenographer	Josephine Kovacich
Janitors	Clyde H. Phillips, Dave McElliott, Claude Hewitt
Engrossing Clerk	Minnie Lyons
Enrolling Clerk	Marguerite Wing
	MASTERTON, Chairman.

On motion of Masterson, report adopted.

The Speaker appointed Haight, Chapman and Leavitt to invite the Honorable Senate to sit in Joint Session with the House.

A committee from the Senate advised that the Senate was ready to go into Joint Session.

President Pro Tem of the Senate in the Chair.

The Secretary of the Senate called the roll of the Senate. The Chief Clerk of the House called a roll of the House. A quorum of both Houses being present, the Joint Session convened.

It was moved by Senator Sparling, duly seconded and carried, that a committee of five be appointed to notify his Excellency, the Governor, that the members of the Senate and House were in Joint Session and ready to hear his message. Thereupon, President Pro Tem Eaton appointed Senators Sparling and Parkin; Representatives Byrne, Moss and Rolph as such committee.

His Excellency, Governor Cooney, then appeared and on being escorted to the Chief Clerk's desk, was introduced by President Pro Tem Eaton and delivered the following message to the members of the Senate and House:

To the Members of the Twenty-fourth Legislative Assembly:

At the beginning of your deliberations it is my pleasure to greet you as fellow laborers in the state economic workshop, and my duty to advise you as to the material condition of the state and make such recommendations as may seem essential to the present and future good of the commonwealth.

After careful consideration of the needs of all departments, boards and institutions, the State Board of Examiners, in its capacity as a Budget Board, is submitting for your consideration a balanced budget for the first time since the enactment of the budget law in 1919. The budget bill shows not only the proposed appropriations but the revenue estimated to be derived from the various sources with which to meet the appropriations.

Laws are effective only to the extent of the financial provisions made for their execution. In the past some departments have not been able to function fully because of inadequate appropriations. The revenues as shown in the proposed budget bill were estimated on the basis of the general revenue laws in effect as of June 30, 1934, as shown on pages 11 to 14 of the budget. Should conditions improve to the point where the revenue from these sources increase, the excess will apply on the existing overdraft.

The present general fund overdraft is now about \$1,800,000.00. This is due to the following causes: A half-mill reduction in the ad valorem tax; inadequate provision for the establishment of liquor stores, from which source a large amount of revenue is expected; the impounding in advance each year of approximately \$350,000.00 of General Fund Revenue for the payment of principal and interest of Montana refunding bonds; the cost of the Extraordinary Session called for the enactment of relief measures, and the reallocation of certain general fund income to provide for emergency relief.

During the past eighteen months the University millage fund overdraft has been materially reduced and we have high hopes that by the end of the current fiscal year this fund will be approximately out of the red. After due consideration you may feel that the levy of three mills may with safety be reduced to 2½ mills for the support of the University group.

In this connection it should be said that the general fund and the University millage fund are the only funds showing an overdraft.

Chapter 105, Session Laws of 1933, provided that the net profits from the operation of State Liquor Stores should be distributed as follows: One-half to the general fund of the state and one-half to the counties. Chapter 57, Laws of the Extraordinary Session of 1933-34, amended the original statute and allocated the money on the following basis; one-half of the net profits to the general fund and one-half to the emergency relief fund, this basis to continue to February first, 1935, at which time the fifty per cent to emergency relief will be discontinued and will be allocated to the counties in the proportion the population of each county bears to the total population of the state, based on the last United States census.

Should the provisions of this law be continued by reenacting the provisions for distribution so that the emergency relief may participate, we will be in a position to give due consideration to the requirements for further emergency relief.

I believe that from the brief picture here presented you will be impressed by the satisfactory financial condition of the state. Our bonded indebtedness is approximately \$8,000,000 aside from the highway debentures, which will be taken care of by the five-cent gasoline tax. With continued care one seems justified in the feeling that the financial situation of the state will greatly improve during the next two years.

Water Conservation

For more than forty years it has been my firm conviction that next to its study, industrious citizenry the greatest asset of the State of Montana is its abundant water supply. It is my greatest ambition to inaugurate and carry out a program for the conservation of the waters of the state. To inaugurate such a program was one of the primary purposes for which an Extraordinary Session of the Legislative Assembly was convened in 1933. During the past two years Montana not only suffered the calamities directly resulting from lack of moisture, but the collapse of business throughout the United States resulted in unemployment and distress in this state. To furnish relief to the needy it was necessary to call the Extraordinary Session. Montana owes a debt of gratitude to President Roosevelt and the National Administration for the assistance furnished the people in this time of distress.

For seventy years Montana has poured into the lap of the Nation many millions of wealth from its natural resources. Gold, silver, copper, lead and other minerals have been produced from rich deposits and given as our contribution to national progress. Those values have depleted the natural resources and can never be replaced. Divine Providence generously placed in our valleys fertile lands which need but the application of our bounteous water supply to blossom as the rose and to furnish to labor and industry all things necessary for a comfortable existence. Montana has furnished, and will in the future furnish the nation millions in wealth from the cattle and sheep grazing on our foothills and plains.

Some of our fellow-citizens residing in more densely populated sections have suggested that Montana is unfit for agriculture and incapable of sustaining a prosperous and contented people; that large portions of its population should be removed from the state and made to migrate and seek homes (without a suggestion of when or how) in other sections of the

country. In fact, some have suggested the conversion of Montana into Indian reservations and that further aid from the Federal Government be denied. Be not deceived if you entertain the thought that such suggestions are not being seriously considered.

The condition presents two alternatives to the people of the state. The one which comes from without is the removal of many of our best citizens—a course not only possible of fulfillment, but which might become a necessity, unless we who are familiar with our resources meet the situation which confronts us. The problem presents these questions: Shall Montana admit suggested failure? Are our vast resources insufficient properly to house, feed and support our people? Those who pioneered the state, who suffered privation that others might enjoy its bounteous resources, all cry No! None will concede that those unfamiliar with this commonwealth shall be permitted to force Montanans to become homeseekers in strange and unsuited places. An aroused public conscience and a determined Montana pride can and will solve every problem presented.

During the Extraordinary Session of 1933-34 there was enacted a law creating a Water Conservation Board and authorizing the borrowing of funds from the government of the United States without rendering the state liable for the repayment of such loans. Immediately after the passage of this Act I made application to the President that sufficient funds be allocated to carry out the projects necessary to the state's welfare. I received the fullest cooperation and the President's assurance that the necessary public funds would be made available. The difficulty in the securing of funds for these projects is little appreciated by those who have not worked in the difficult financing of irrigation systems. The necessary finances could be secured from no private source nor has any previous administration in the history of the United States ever shown the sympathy, understanding and willingness in this great program that has been shown by the President.

We have offered to the Federal Government a new form of security. The delays in connection with the execution of the program have been such as are necessary in the preparation, presentation and consummation of one so vast and important. We are enlisted on a program which cannot be completed or fairly started within a year. Its completion will require years.

We have reached a point where success is clearly indicated, in that the construction of important projects will be soon begun, and the full cooperation of every member of this Assembly and every citizen of the State of Montana is absolutely necessary to the consummation of the program. Additional reason for Federal aid at this particular time is that if these contemplated projects be hastened and construction work immediately commenced, the furnishing of materials and labor necessary for the construction of the projects will give employment to the citizens of this state, taking the place of relief measures.

The construction of public buildings, municipal improvements or even highways cannot take the place of a vast reclamation program. Public works in the nature of flood control and reclamation will restore prosperity to the state during the construction period and their completion will insure a continuous prosperity thereafter.

We have a cause which we may with confidence present to the Federal Government. We must do our part. Now is the time, and the only time, when it is possible to move forward to complete fulfillment of our plans.

Already the construction of a dam at Fort Peck has meant labor for many of our citizens, with great irrigation possibilities for the future. Along the Musselshell valley we have secured from the Federal Government assistance in the construction of the Dead Man's Basin Canal, a project which should restore prosperity to the people of several counties in the very heart of the state.

Our water conservation program includes projects of three different types, although the different classes tend to commingle. There are the large projects similar to Fort Peck and the Big Horn, vast reclamation projects which will carry water from some of the largest rivers in the state. These projects involving flood control are naturally works for construction and control by the United States Government. Their completion is essential to the welfare of our people and of the entire Mississippi valley.

A second type of projects, such as the Rock Creek project in Carbon county, are smaller in character and, I believe, can best be constructed through a state agency. To this end the Water Conservation Board has labored during the past year. With initial success the preliminary work has been carried out. Negotiations are being carried on with the Federal Government and the activities of this board during the ensuing two years will doubtless mean the commencement and completion of some of the most important systems within the state. A large number of projects have been presented to the board during the year. Many have been investigated and important engineering work has been done upon the following:

Rock Creek, Carbon	\$800,000
Lower Musselshell, Golden Valley and Musselshell.....	300,000
Valentine, Fergus	50,000
Mill Creek Storage, Park	161,022
North Fork Smith River Storage, Meagher	238,877
Broadwater-Missouri Diversion at Toston, Broadwater	900,000
Willow Creek Storage, Gallatin and Madison	213,530
Ruby River Storage, Madison	550,000
South Willow Creek, Musselshell	54,873
Upper Musselshell Storage, Meagher and Wheatland	200,000
Nevada Creek Storage, Powell	100,000
Upper Boulder Storage, Jefferson	100,000
Bear Creek Storage, Ravalli	48,424
Armstrong Ditch, Park	75,000
Flint Creek, Granite	200,000
Nilan Reservoir, Lewis and Clark	50,000
Bainville, Roosevelt	100,000

Before any project may receive Federal aid it is necessary that a thorough investigation be made, to determine the amount of land that can be irrigated, the cost of construction, whether the benefits will be sufficient to justify such construction, and that the expense of repayment can be borne by those benefited.

On the Rock Creek project we confidently expect to receive a grant from the Federal Government, but except for such grants, when and if given, the projects must be made to bear their own construction and maintenance cost. Without Federal aid or some other method of financing this work cannot go on.

Negotiations in this respect have not progressed as rapidly as we anticipated. The value of the preliminary work cannot be underestimated and at present there appears to be no feasible plan possible to bring about the desired results except through a continuance of the work of the State Water Conservation Board.

A third type of projects include smaller ones to be constructed by one person or by a small number who will benefit therefrom. As a relief measure the Federal Government is doing a most important and valuable work in this respect. In this work also the State of Montana should fully cooperate. We find in many localities even in periods when rainfall is lacking, persons who have by means of a small irrigating system continued to prosper year after year. Their success shows the value and possibilities of this type. The construction of these projects is among the most important things before the people of the state. We must by means of appropriate

and carefully prepared legislation and by the appropriation of the necessary funds provide for such projects in order that the state itself may do its full part in cooperation with the Federal Government in these vast undertakings.

The construction of small dams by the Water Conservation Board for one farmer or a group of farmers will bring prosperity at their present locations to many of our citizens. Neither private capital nor government financing offer an adequate method of securing the funds to construct such dams. The building of these dams is so important a part of the planned rehabilitation of the state that means must be furnished for their construction. I therefore recommend that five hundred thousand dollars be appropriated to be loaned to the farmers through the Water Conservation Board for the construction of small dams, not to cost more than ten thousand dollars for any one project; this appropriation to constitute a revolving fund to be repaid to the state by the persons benefited by such projects, and the repayment thereof to be secured by mortgaging only projects themselves, and the water impounded.

This water conservation program is the one great subject for your legislation and approval which will restore prosperity to the state. In conjunction with legislation and action by the Federal Government, all legislation required by that government in connection with the program should be adopted and such appropriations made for the purpose as will demonstrate to Washington the wholehearted determination of the state of Montana to carry through this program. It is the only plan that will furnish labor to our people during the construction period, reduce the number of people requiring relief and continue to furnish opportunities for employment greater than the construction labor possibilities for many years to come.

I am in receipt of a letter from President Roosevelt suggesting that certain legislation be enacted, which is described in his letter as follows:

(1) Simplification of the procedure for the authorization and financing by municipalities of public-works projects by some amendments to Chapter 24 of the laws enacted at the Extraordinary Session, 1933-34, and extending that law for a two-year period.

(2) Creation of municipal improvement authorities without power to tax, but with power to issue bonds payable solely from the income of revenue-producing improvements, such as water, sewer and electric light and power systems.

(3) Authorizing municipalities to engage in slum clearance, including condemnation of necessary lands and the construction, operation and maintenance of low-cost housing, to make contributions therefor, and to enter into contract with the Federal Government in connection therewith.

(4) Providing for the creation of non-profit public benefit corporations or agencies to provide for the electrification of rural communities with the assistance of the Federal Government.

(5) Validation of bonds and other obligations heretofore issued by municipalities for public-works projects and sold to the Federal Government.

In the same communication I was advised that if such legislation was desired and the President were so notified he would request Administrator Ickes to have the necessary bills prepared.

I recommend the adoption of these measures and have written the President requesting that Administrator Ickes prepare the measures appropriate for these purposes.

Safety on Highway

Montana, unhappily, is already beginning to pay the gruesome penalty that seems to be the portion of every State that reaches satisfactory improvement in its public roads. No sooner have we, after longer years of struggle, pulled ourselves out of the mud than the specter of death comes to hover over our roads and threaten all who desire to use them. Statistics reveal that during the fiscal year just closed there were in this state more than two hundred deaths from automobile accidents—a grisly aggregate almost twice that of the year preceding.

Sometimes the people somewhere build tracks whereon speed contests are held and where the public may gamble on the result, but I am persuaded that the whole people do not construct highways with the thought that they shall be converted into speedways whereon the roadhog, the speed demon and the drunken driver may gamble with death. We may not hope entirely to eliminate the danger of fatalities on our improved roads, but I am persuaded that we may by proper safeguards greatly reduce the terrifying toll that is at present being taken. To this end I heartily favor the establishment of a State Highway Patrol in Montana, and most earnestly recommend that you give your best thought to the establishment of such a bureau of safety for the good of the users of our highways.

It is not expected, of course, that Montana may be able to embark on this new work with the elaborate set-up that exists in many of our older and more populous states, but we should find it possible to make a respectable beginning in this regard. The people of the state who wish to use our roads for pleasure or business with a minimum of danger are entitled to this protection. Which can come only through you, and I am convinced that the establishment of a patrol, one that is clothed with all necessary authority, will act as a powerful deterrent and result in a substantial reduction in the number of fatalities, Montana, having emerged from the mud of the dirt-road days, wants also to emerge from the ugly columns of the vital statistics department.

Manifestly, with the institution of the patrol system there should be provision for periodical inspection of motor vehicles, inasmuch as many of our accidents are believed to be due to bad brakes, poor lights or other mechanical faults. The owner who takes proper care of his car is entitled to this protection from the careless owner, and I am confident that out of the experience of other states you will be able to frame statutes that will prove beneficial without being burdensome to anyone.

The Banking Department

Reports filed with me by the State Examiner and ex officio Superintendent of Banks show clearly that under the superintendency of Mr. Frank H. Johnson this state is receiving loyal and efficient service in both departments. Since the bank holiday of 1933 the entire bank structure has undergone a radical change. Our Banking Department has, with untiring work and full cooperation on the part of the Federal Deposit Insurance Cooperation placed all state banks, with two exceptions, under the deposit insurance plan of the Federal Government.

There has not been one state bank failure in Montana since the bank holiday, a period of almost two years. Of the seven banks placed under restriction four have been reopened under sound reorganization and are operating with approval and to the satisfaction of their respective communities. The three banks still under restriction are reorganizing and are expected to resume unrestricted business within a period of sixty days.

The liquidation of closed banks has gone forward in a successful manner, despite trying conditions. This department operates under the jurisdiction of the District Courts of the state and has cooperated with the debt conciliation committees set up in each county.

From Honorable Leo Crowley, Chairman of the Federal Deposit Insurance Corporation, Washington, D. C., I have received a letter in which he has expressed his hearty appreciation of our State Banking Department because of its efficient service in bringing the Montana banks under the insurance plan.

Here I desire to say that this insuring of deposits is one of the outstanding acts of the present Federal Administration.

No building and loan association has failed in this state during the past two years. Two associations have gone into voluntary liquidation and one of these is reorganizing at this time. The Superintendent of Banks reports that his examiners have given particular attention to the building and loan situation during the past year so as to relieve investing stockholders and to assist the associations to get off their registration as rapidly as possible.

In the department of the State Examiner there are employed four county examiners and one assistant, who have the examination of between 600 and 700 departments of state, including counties, cities, towns, etc. With this limited force the work of advising and assisting County Treasurers and other officials is carried forward.

Under the Superintendent of Banks all state banks, building and loan associations, and credit unions are examined with the usual force of four examiners.

Because of the limited appropriations at the regular session of the assembly, the State Examiner reported he could not maintain this force and balance the budget of his office. For seven months of 1934 this department operated with only one bank examiner. The necessary task could not have been accomplished except for assistance from the Federal Deposit Insurance Corporation, and this assistance may not again be available.

Appropriations ample for the complete operation of this department are earnestly recommended.

State Land Department

In his report for the biennium ended June 30, 1934, Mr. I. M. Brandjord, Commissioner of Lands and Investments, whose zeal for the welfare of the department that is so closely associated with the good of our common schools is known of all who have had business dealing with that department, calls attention to the fact that at the close of the last fiscal year the department had more than \$4,370,000.00 invested in state farm mortgage loans. Not one loan has been made since December, 1925, but the greater portion of the loans theretofore made remain unpaid and are hopelessly delinquent. The Commissioner quotes Section 3 of Article XI of the State Constitution, which says that "such public school fund shall forever remain inviolate, guaranteed by the state against loss or diversion," and he renews the department recommendation that the Legislative Assembly enact legislation acknowledging the state's indebtedness to the public school permanent fund for the amount actually invested in these loans and make provisions for the annual payment of interest at a fixed rate and the systematic payment of the principal itself. There are now 1949 loans unpaid and the state has taken title to the land in 1114 of these. The accumulated delinquent interest aggregates approximately \$1,500,000.00.

The Commissioner suggests that coal, oil, gas and other minerals should be reserved in the mortgaged lands to approximately the same extent as they are reserved in other state lands. This was the case under a former statute, but an amendment to the then existing statute was made in 1929, whereby the reservation clause was eliminated. "The discovery

of oil or gas in large quantities in one single tract of mortgage land," he says in all truth. "might do considerable towards reimbursing the state for its losses."

It is further pointed out that the Assembly of 1933 made no appropriation for the field service of the department except for the chief field agent and one stenographer. Because the chief has all of the work he can attend to in the office, the department has had no field men during the last fiscal year and the work has suffered accordingly. There are more than six thousand agricultural and grazing leases outstanding, and it seems obvious that so great an estate cannot be properly administered without a number of men in the field.

These facts will be at your disposal in far greater detail during the session, and I commend them to your serious consideration. This is one of the great revenue-producing departments of the state and because of its importance to the schools it deserves and should have every attention to the end that it may be provided with adequate legislation and appropriations for its proper functioning.

State Liquor Stores

For little more than a year Montana has been in the liquor business through the medium of state-owned stores, and while the returns have not been as great as some of the more enthusiastic liquor advocates predicted, it is apparent that these stores have gone far toward demonstrating the wisdom of the law under which they are being operated.

At the beginning the Liquor Control Board was handicapped because the Assembly had given it a line of credit amounting to only \$25,000.00 and appropriated only \$100,000.00 for the establishment and operation of the stores. Under these conditions the board was compelled to feel its way along a hitherto untried path, starting with only four stores and gradually adding to this number as its finances warranted. In this way the business has expanded until there are now one hundred fifteen stores in operation. Detailed reports of the operations of the board will be furnished the members of the Assembly, so that I need do no more here than summarize the work of the past year. From the profits of the stores the \$100,000.00 appropriation has been repaid to the state, together with interest to the state in the sum of \$2,430.09. In addition, the sum of \$5,000.00 has been paid into the general fund of the state and a similar sum has been distributed to the relief fund. A statement of operations to November 30, last shows a net profit of more than \$578,000.00, and a conservative estimate of the business for December warrants the belief that the net profits up to the beginning of the year 1935 will reach the sum of \$650,000.00. I am firmly of the belief that the net profits for the calendar year 1935 will reach at least one million dollars.

The contrast between the existing system and the old open saloon plan is so great that most people must see and appreciate the improvement.

So long as the liquor business is to be carried on I am convinced that the state-store system is the best plan yet evolved. However, the experience of the past year has shown me that the permit system is of no particular value, and I therefore recommend that it be abolished.

Salary Adjustments

While this does not seem a time for suggestions as to increases of salaries in the state service, there are still a few instances in which good judgment would seem to dictate readjustment or increase. You are all no doubt familiar with the situation that has arisen in connection with the salaries of the members of the Supreme Court, a case that has been taken

into the courts for determination. For many years the compensation of justices has been paid under two designations; one purely as salary and the other as remuneration for the reporting of decisions of the court, the total being \$7,500.00 a year. It is my belief that no one will object to a straight salary of that sum for the men whom we elevate to seats on this most important tribunal, and in order that the question may never again be raised I am moved to recommend that the law be so changed as to make the salary of members of the court \$7,500.00 a year.

Experience of nearly two years has convinced me that the salary of \$4,500.00 now paid the Attorney General is not commensurate with the varied duties and responsibilities imposed upon him by the law. He is a member of virtually all of the first grade boards which have a hand in the administration of our affairs and in addition must direct the activities of an office that is at all times at the call of certain officials throughout the state. It is true that he is permitted assistance in some of this work, but in the board work there can be no one to take his place, and his alone is the responsibility. Anyone who has opportunity to observe the volume of work that is carried by the Attorney General must conclude that he is an overworked and underpaid official. The salary carried by this important office should be such as to make the position appeal to the best talent of the legal profession, and in the hope that you may feel inclined to act in behalf of an official who has so many burdens imposed upon him I recommend that the salary of the Attorney General be increased to \$6,000.00 a year.

The department of the State Accountant is another that has impressed me with the amount of work required and the inadequacy of the salary paid to the head of the force. In the preparation of the budget and in keeping close watch upon the financial affairs of the state that office is a very valuable cog in the state's machinery, and I feel that in justice to the responsible official at the head of the department his salary should be increased to at least \$3,600.00 a year.

Interest on State Deposits

In the matter of state money on deposit a situation has arisen that is worthy of your most intelligent consideration. In a communication recently received from State Treasurer James J. Brett conditions in this regard are pointed out and suggestions are made looking to a remedy. Because of the liquid condition of the banks, the meager demand for money, and the 2 1-2 per cent interest rate required by the state for money on deposit, the Treasurer says, banks do not seek these funds. On the contrary, they are reducing deposits and it was only after considerable urging by the Treasury Department that they agreed to handle any state funds during the past year. Despite these unusual conditions interest earnings for the year amounted to \$33,000.00.

At this time we have in Federal and certified checks about four million dollars which we are unable to deposit, and it is pointed out by the Treasurer that unless this session of the Assembly takes some action, either by way of reducing the present interest rate or allowing the State Depository Board to carry a percentage of this large balance in its own paper, a much more embarrassing situation is sure to arise.

The Treasurer likewise calls attention to the fact that under the existing depository law the State of Montana cannot avail itself of the Federal insurance covering deposits. It seems eminently desirable that the state be permitted to secure the advantages of the Federal law.

These are matters that closely affect the conduct of our financial affairs, and it is my recommendation that you enact such legislation as to you may seem desirable in the premises.

To Save the Home

The loss of homes through foreclosure of mortgages and the sale of homes for delinquent taxes have been so great during the past few years as to reach the proportions of a catastrophe. All of us realize that everything possible should be done to save the homes of our people, and the subject is one worthy of your most earnest consideration.

Our Constitution now requires the taxation of the small home in the same manner as all other property is taxed. In order to attain the end believed to be desired by most people of the state I recommend that this Assembly authorize the submission of a constitutional amendment to provide an exemption from taxation to the extent of \$2,500.00 on real estate occupied by the owner and his family.

State Institutions

From reports which will be submitted to you and from investigations conducted by committees which your bodies will doubtless appoint, the condition of our penal, correctional and charitable institutions will be demonstrated. These have been carrying on for the last two years, some with reduced appropriations, as best they might, and it is believed that their conduct has been marked by ability and closest consideration by those in charge. The unfortunates who must be cared for by the state should have every aid possible with a view of reformation or cure of the ailment under which they are laboring. I commend these institutions to your wise attention in order that they may be given all of the support which may be necessary for their proper administration. The more intelligent the care of these wards of the state, the greater the benefit to society as a whole.

School for the State Prison

From close and frequent observation of operations at the state prison I have concluded that a work of much ultimate benefit to prisoners and society alike might be performed by the establishment there of a school wherein those under sentence might receive instruction in classes conducted by trained teachers just as our youth are taught in the common schools of the state. There is no doubt that many of the prisoners would feel a lively personal interest in these classes, and there seems a probability that many of them would gain through such schooling a better outlook upon life and a training that would be of decided benefit to them after their terms had expired and they found themselves at liberty to go and come as they pleased among their fellows. If only a small percentage of them became interested and profited from the instruction given, it seems that the state would be much the gainer for having provided the school. Only a small proportion of the prison population are confirmed criminals, and those who are not might make a really valuable contribution to our state's life because of the instruction received at a prison school.

Believing this to be an experiment well worth while, I recommend that you give serious thought to the question of establishing such a school, to be instituted on a modest scale at the outset and afterwards expanded as experience may demonstrate its value.

Compensation for Prisoners

Permit me to recommend the setting up of some system of remuneration of prisoners at Deer Lodge who by reason of their good conduct and industry while serving time seem to deserve more consideration than is now given. There are certain seasons of the year when perhaps forty per cent of the population may be engaged in work on the state's ranches and in other forms of employment from which the state reaps the benefit. In many cases the men doing time have been taken from their families and these latter have thus been left without a provider of the necessities of

life and therefore become charges upon the county wherein the crime was committed.

It seems, particularly in cases such as these, that it would be more humanitarian and likely to return good dividends to the state in the long run if we could pay these men some compensation for their labor, this to be sent monthly to their families, or to be allowed to accumulate for payment upon the completion of the term. Many an offender, I believe, would emerge from the prison with a new sense of freedom and independence if he could walk out with a substantial sum in his pocket; and, best of all, he should be inclined to look back upon his life within the walls from an entirely different angle.

This is something wholly new in our treatment of the men who have gone wrong, but I believe that it is worth a trial and am therefore laying it before you in the hope that it may be seriously considered.

Our Nepotism Law

If one may gauge the success or failure of a statute by the number of complaints registered against it, then the nepotism law enacted at the regular session of the Assembly in 1933 must have failed, partially at least, in its purpose. It appears that virtually its only effect has been in the case of school teachers, some of whom have lost positions because of the presence of some relative on a board of school trustees or in the office of the County Superintendent of Schools, and I am told of a case in which the discharged teacher has been unable to secure employment at her life work since the law went into effect.

Evidently the chief aim of the statute was to cure an ill that was at the time said to be affecting many of our counties. True, the statute makes it unlawful for any public officer to secure positions for his relatives by a "trade" with other officers, but manifestly it is extremely difficult to trace these "trades" to their source and enforce the law. Therefore it seems that the teaching profession is about the only one to feel the force of the provision.

Being convinced that a hardship is being worked against one class of our citizens because of inequality of enforcement, I recommend the repeal of Chapter 12 of the Laws of the Regular Session of the Twenty-third Legislative Assembly.

The Seaway Treaty

Repeated examination by national and international boards and commissions has shown that opening of the Great Lakes for through movement of ocean-borne commerce of the heart of the North American Continent will, to a large extent, overcome the handicap of the deep interior states, due to remoteness from the sea greatly accentuated by the opening of the Panama Canal and increase in rail rates. These boards and commissions have found the project not only feasible from an engineering standpoint, but the cost to be small in proportion to benefits.

The Legislative Assembly of 1919, by Concurrent Resolution, first associated Montana with the movement and in cooperation with some twenty other states, acting as a unit, through the Great Lakes-St. Lawrence Tidewater Association, has carried on investigation and research into the economic need and caused the Governments of the United States and Canada to study the economic, engineering and international phase, all of which resulted in the signing of a treaty by the United States and Canada on July 18, 1932.

The President will re-submit the Seaway Treaty to the Senate of the 74th Congress, and in view of the fact that this is the final battle in a long campaign of twenty-one states for economic justice I ask you give to

the Seaway Project and Seaway Treaty that early, careful consideration demanded by its great importance to Montana, to the end that every means at your command may be exerted to insure ratification by the United States Senate in the early days of the present session.

Emergency Conservation Work

During 1934 three emergency conservation work camps were placed in national forests in Eastern Montana. Application has been made for several similar camps on state, county and city land and in national forests for 1935. Tentative approval has been given three of these camps and the President has asked that the state enact legislation providing that if as a result of the work the state derives a direct profit from the sale of the land or its products the proceeds will be divided equally between the state and the Federal Government until the state shall have paid for the work done at the rate of one dollar per man per day for the time spent on projects subject to a maximum of three dollars per acre.

In view of the benefits which the State of Montana has received through the establishment of these camps, the President's request seems just and reasonable and I urge that you enact the legislation he asks.

Attachment of Wages

Chapter 49 of the Laws of the Extraordinary Session of the Assembly, approved January 17, 1934, prohibited the garnishment of wages where the sum sued for is \$10.00 or less. This Act was passed for the relief of the wage earner who since the beginning of the depression has found the going particularly rough. With the purpose of the measure I am heartily in accord, but it is my belief that the sum exempted from garnishment is not sufficiently liberal to accomplish much good for the worker who honestly endeavors to spread his meager paycheck out to take care of as many creditors as possible. In the hope of doing greater good to those who toil for their daily bread, I recommend that this Act be amended by materially increasing the amount so protected.

Aeronautics Commission

Montana has become air-minded and there is a continually increasing use of our airways in the transportation of mails and passengers. During the past year approximately half a million dollars of Federal aid money has been spent in the state in the development of a comprehensive airport system under the supervision of the State Commissioner of Aeronautics, Mr. Fred B. Sheriff, whom I appointed and who has served without salary and without cost to the state. We now have about seventy-five landing fields for the convenience of the flying public. Only one state in the nation has done more than Montana in this development work and our position is attracting attention nationally.

It seems quite desirable that the present session should adopt the uniform code for aeronautics, which is the result of conferences for the past six years between the aviation committee of the American Bar Association and a special committee of state aviation officials. This is being presented to a large number of legislatures this winter and will be introduced here. This will provide for appointment of a commission, to serve without pay.

We are a state of great distances and transportation by air seems to hold for us a most promising future, and as some form of intrastate regulation will be needed I recommend the enactment of the uniform code and a small appropriation that will permit the proposed commission to function efficiently.

The Housing Act

Within recent days there has come to me a letter from President Roosevelt calling attention to the fact that in virtually every state there is need

of certain legislation in order to make Titles II and III of the National Housing Act more effective.

When your organization shall have been completed and your committees appointed I shall transmit this correspondence to you together with a copy of the measure suggested by the National Administration. This subject is recommended to you for such action as may be necessary in order for us to meet the Federal Government in this particular.

Codification of Our Laws

Codification of the Laws of Montana was authorized by the last session of the Assembly. It is necessary to continue the work this year. The Code Commissioner has prepared bills to be submitted to this session to clear up ambiguities in existing laws, to further codification and to provide for the printing of the Codes. The Acts of the present Assembly must be included in the volumes and this will necessitate continuance of the Commissioner's labors through a good part of the year. A proper appropriation for the completion of the work and the printing of the Codes is recommended.

The Code Commissioner will, early in the session, submit a detailed report for your information.

Concluding

Finally let me say that you come here with commissions directing you to serve your respective counties, but the commission is more comprehensive than that. You are charged with the high duty of legislating for the welfare of the whole state as well, and as you decree wisely for the state just to that degree will you legislate for the weal of your home people. In doing this partisanship should have no place. I would not have any man forget or neglect his partisan connections but it is my belief that when the welfare of the citizens of all Montana is at stake the legislator who lays aside every vestige of party prejudice is the one who measures up most closely to the stature of a statesman. In a crisis like this, when the very existence of the state which we all love may be in the balance, no one of us can honestly afford to withhold approval from measures that are designed to promote the welfare of the state. With this idea in mind, I pass this promise to you: In every move made by this body tending to improve conditions in Montana and to further insure the well being of our people you may count on my heartist cooperation. I shall be glad to meet you at least half way, and shall not be influenced by political considerations. With a united effort toward this ideal you should make the Twenty-fourth Legislative Assembly one that will stand out in the history of Montana as epoch-marking.

It was moved by Senator Sparling, duly seconded and carried, that a committee be appointed to escort His Excellency, the Governor, to his chambers. Thereupon the following were appointed: Senators Cooper and Hennessy, Representatives Leavitt, Metlen and Mulholland.

It was moved by Senator Sparling, duly seconded and carried, that 1000 copies of the Governor's message be printed for distribution.

Upon motion by Senator Sparling, duly seconded and carried, the Joint Session dissolved and the Senate retired from the Hall of the House.

Mr. Speaker in the Chair.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

It was moved by Moss, duly seconded and carried that the messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate of the Twenty-fourth Legislative Assembly this day at 12:01 p. m. convened in regular session, with Senator Pauline presid-

ing. On motion of Senator Parkin, duly second and carried, C. J. McAllister was made temporary secretary. The temporary secretary then called the roll of the Senate, and all holdover members responded. Roll was then called of the newly elected members, all responded, the Certificates of Election were presented, and Oath of Office was administered by the Honorable W. B. Sands, Chief Justice of the Supreme Court. The complete roll of the Senate was then called, all responding.

The following motion by Senator Sparling was made, and upon roll call, adopted:

"I move that Senator Eaton be elected President Pro Tem of the Senate of the Twenty-fourth Legislative Session, and further move that his election carry with it the following:

"For Committee on Committees: Plank, Chairman; Thien, Kelsey.

"For Committee on Employment: Lamp, Chairman; Wass, Armstrong.

"For Secretary of the Senate: Claude J. McAllister.

"For Sergeant-at-Arms: Lou Boudecker.

"For Chaplain: Rev. William Pippy."

On motion of Senator Parkin, duly seconded and carried, the Rules of the Twenty-third Legislative Assembly were adopted as the temporary rules of the Senate of the Twenty-fourth Legislative Assembly until the adoption of the report of the Committee on Rules.

On motion of Senator Sparling, duly seconded and carried, the President Pro Tem appointed the following committees:

To notify the Governor: Sparling, Holt, Arnold.

To notify the House: Senators Parkin, Pauline, Wass.

A committee from the House was received, announcing that the House had been duly organized and was ready for business.

The committee appointed to notify the Governor reported they had performed that duty, and stated the Governor desired to deliver his message to the Joint Assembly of the Senate and House at twelve o'clock, noon, January 8th. Committee discharged.

The committee appointed to notify the House reported they had performed that duty, and were discharged.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows, reports adopted:

Committee on Committees: That the following Senators be named as members of the Committee on Journal: Hammond, Chairman; Angvick, Oliver.

That the following Senators be named as members of the Committee on Rules: Parkin, Chairman; Sparling, Larson.

That the following Senators be named as members of the Committee on Mileage and Per Diem: Church, Chairman; Garrison, Anderson.

Committee on Employment: That the following named persons be employed for the positions named:

Secretary to the Secretary	Edna Hinman
Journal Clerk	Ben Lamb
First Ass't. Sergeant-at-Arms	M. B. Reynolds
Second Ass't. Sergeant-at-Arms	R. F. Thibaudeau
Bill Clerk	Helen Byrd
Assistant Bill Clerk	Helen MacGilyra
Stenographer	Alice Brusletten

Stenographer	Lucina McCarthy
Stenographer	Josephine Daly
Stenographer	Anne Lee Griffin

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

The following House Joint Resolution was introduced by Groene of Fergus and the Speaker announced he would refer it to the proper committee at a later date.

House Joint Resolution No. 1, introduced by Groene of Fergus.

"Relating to investigation of various state departments and the financial conditions of the state."

It was moved by Byrne, duly seconded and carried, that the House adjourn until 11:00 o'clock a. m. January 9th, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:
JOHN J. JEWELL, Chief Clerk.

THIRD DAY

House of Representatives,
Helena, Montana, January 9, 1935.

House met pursuant to adjournment at 11:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call all members were present.

The Speaker announced the appointment of the following committees:

Appropriations: Fowler of Yellowstone, Chairman; Byrne of Toole, Vice Chairman; Rolph of Liberty, Manning of Treasure, Sherman of Meagher, Holding of Missoula, Hamilton of Sanders, Buttelman of Gallatin, Sexton of Park, Chapman of Daniels, Gordon of Chouteau, Bertsche of Cascade, Mundy of Hill, Foor of Roosevelt, Green of Dawson, Lovell of Deer Lodge, Smith of Lewis and Clark.

Printing: McCausland of Rosebud, Chairman; Lippard of Chouteau, Kelly of Flathead, Lovell of Deer Lodge, Lasby of Broadwater.

Engrossing: Ormsbee of Mineral, Chairman; Harlen of Blaine, Lemmer of Cascade, Green of Dawson, McLaughlin of Ravalli.

Journal: Quigley of Phillips, Chairman; Ewing of Wheatland, O'Connor of Carbon.

State Boards and Offices: Burris of Deer Lodge, Chairman; Ormsbee of Mineral, Vice Chairman; Holding of Missoula, Manning of Treasure, Mitchell of Silver Bow, Ryan of Silver Bow, Whaley of Prairie, Peterson of Valley, York of Sheridan, Fowler of Yellowstone, Lovell of Deer Lodge.

Enrolling: Monahan of Park, Chairman; Mulholland of Silver Bow, Ecton of Gallatin, Holding of Missoula, Smith of Lewis and Clark.

Fish and Game: Lemmer of Cascade, Chairman; Burris of Deer Lodge, Vice Chairman; Balgord of Golden Valley, Monahan of Park, Miller of Big Horn, Heavlin of Missoula, Leary of Lincoln, Ewing of Wheatland, Joffray

of Jefferson, Leavitt of Custer, Scofield of Powder River, Parker of Flathead, Lasby of Broadwater, Nutting of Yellowstone.

NOTICES

Authors gave notice that they would on tomorrow, or some subsequent day, introduce the following:

By Stromnes: A Bill for an Act entitled: "An Act to encourage and aid State Industrial recovery in conjunction with National Industrial recovery, and to aid in the reestablishment of industry in the State of Montana and to effectuate its control by license, permits, or otherwise; to foster fair competition to the end that fair wages will be paid to workers; to provide penalties for violation of the provisions of this Act; and to give to the Governor necessary authority fully to cooperate with the President of the United States and the agencies set up by him under the provisions of the Act known as the 'National Industrial Recovery Act,' including authority to appoint a board to carry out the provisions of this Act."

Helding and Heavlin: A Bill for an Act entitled: "An Act to amend Sections 12093, 12094, 12095, 12097, 12098, 12099, 12100, 12101, 12103, and 12104 of the Revised Codes of Montana of 1921, relating to the execution of any person upon judgment of death, proceedings upon insanity of defendants after judgment of death, proceedings where a female against whom a judgment of death is rendered is supposed to be pregnant, place of execution of judgment of death, and who to be present thereat, and relating to the execution of any person by the Warden of the State Prison, and to the suspension of judgment of execution by the said warden and to the revival of the said judgment of the Governor."

Ecton, Buttelman and Peterson of Gallatin: A Bill for an Act entitled: "An Act to regulate the tenure of office of all person appointed to state office by the appointing power under authority of law."

REPORTS OF STANDING COMMITTEES

Helena, Montana, January 9, 1935.

Mr. Speaker: We, your Committee on Employment, having had under consideration applicants for employment, beg to submit the following appointments:

Assistant Chief Clerk	James Stafford
Secretary to Chief Clerk	Paul Van Dyke
Assistant Journal Clerk	Genevieve Smith
Secretary to Mr. White	Rose A. Wayman
Assistant Bill Clerk	John Clark
Printing Clerk	O. Issac
Assistant Printing Clerk	Nort White
Reading Clerk	Tim O'Conner
Assistant Reading Clerk	Ray Van Fleet
Stenographers—	

Mary Banahan, Mamie Wallcock, Ann Wynn, Alice Loftas,
Nora Cummings, Helen Mullane

Pages	Mickey Walsh, Leo Choquette
Mailing Clerk	Wm. Buckley
Elevator Boy	Leo Pendergast
Watchman	Ivan (Tiney) Regnier
First Assistant Sergeant-at-Arms	Bert Replogle
Secretary to Floor Leader Byrne	Claire Campbell

JAMES W. MASTERSON, Chairman.

On motion by Masterson, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

It was moved by Byrne duly seconded and carried, that the messages from the Senate be considered read at length and the Journal so show.

Helena, Montana, January 8, 1935.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee on Employment reported the following additions to the Senate organization, report adopted:

Warren Thornton	Doorkeeper
E. W. Woolverton	Doorkeeper
John McCormack	Doorkeeper
Elizabeth Knopf	Secretary to Sergeant-at-Arms
James Kelley	Page
George Koich	Page
Earl Gooley	Page
R. L. Thompson	Watchman
Herman Hauck	Janitor
Howard Eliason	Janitor

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motion by Hennessey was this day made, seconded and unanimously carried:

"A contest having been filed with the Secretary of the Senate against Senator Campbell of Missoula, I move you, Mr. President, that such action be dismissed, and further consideration of same be indefinitely postponed."

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Helena, Montana, January 8, 1935.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Joint Resolutions were this day introduced without previous notice, by unanimous consent of the Senate, read first and second time, and referred to committees:

S. J. R. No. 1, by Oliver: A Resolution memorializing the Congress of the United States for the passage of legislation providing for the immediate conversion into cash of the adjusted compensation certificate of the soldiers of the world war.

Referred to Committee on Military Affairs.

S. J. R. No. 2, by Oliver: A Resolution memorializing the Congress of the United States for the passage of legislation for the creation and establishment of a pension benefit to be paid to all persons over the age of sixty years.

Referred to Committee on Federal Relations.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Melton and Parkin: A Bill for an Act entitled: "An Act to clarify existing laws and declare the policy of the state respecting the eligibility for appointment of members of the Legislative Assembly to state offices, or as employees of the state, during the term for which they shall have been elected."

By Holton and Oliver: A Bill for an Act entitled: "An Act to amend Chapter 45 of the Extraordinary Session Laws of 1933-1934 relating to the payment of delinquent taxes."

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Moss, duly seconded and carried, that the Majority Floor Leader be made an ex-officio member of all standing committees of which he is not regularly a member.

It was moved by Masterson, duly seconded and carried, the the House take up the matter of electing a Bill Clerk.

It was moved by Byrne, duly seconded and carried, that the matter of electing the Bill Clerk be done in Democratic caucus.

INTRODUCTION OF BILLS AND MEMORIALS, AND FIRST AND SECOND READING OF THE SAME

The following bills were introduced, read first and second time and referred to committees:

House Bill No. 1, introduced by O, Brien and Mitchell: A Bill for an Act entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Article XVIII of the Constitution of the State of Montana, relating to labor by changing Section 3 of said Article XVIII to provide for a period of six hours or less to constitute a day's work on all works or undertakings carried on by any municipal, county or state government, and school districts of the first class, and on all contracts let by them, and for all janitors, engineers, firemen, caretakers, custodians, and laborers employed in and about any buildings, works or grounds used or occupied by any municipal, county or state government, school district of the first class, flour mills, packing plants, and in mills and smelters for the treatment of ores, and in underground mines, and in the washing, reducing or treatment of coal, and in handling hoisting engines at or in any mine, and in cement plants, quarries, hydro-electric dams, strip mining, sugar refineries, retail stores, wholesale warehouses used in supplying retail establishments with goods, and in the erection, construction, repair, improvement, or maintenance of buildings, and for telephone operators.

Referred to Committee on Constitutional Amendments when such committee has been appointed.

House Bill No. 2, introduced by Leavitt and Masterson: A Bill for an Act entitled: "An Act for the submission to the qualified electors of the State of Montana, and amendments to Section 2, of Article 12, of the Constitution of the State of Montana, relating to the exemption of property from taxation and authorizing the Legislature to exempt property used for residential purposes, in an amount of not to exceed \$3000.00 of the value thereof.

Referred to Committee on Constitutional Amendments when such committee has been appointed.

House Joint Memeorial No. 1, introduced by Egan and Ritch, entitled: "Recommending that Congress make appropriation for the Townsend Old Age Revolving Pension Plan."

Referred to Committee on Federal Relations when such committee has been appointed.

By unanimous consent of the House, the following bill was introduced without previous notice, read first and second time and referred to the Committee on Public Morals, Charities and Reforms:

House Bill No. 3, introduced by Leavitt and Harlen: A Bill for an Act entitled: "An Act to repeal Section 18, Section 19, Section 20, Section 21, Section 22, Section 23, Section 24, Section 25, Section 26, Section 27, of Chapter 105 of the Session Laws of the Twenty-third Legislative Assembly, (1933), relating to permits for the purchase of liquor."

MOTIONS AND RESOLUTIONS

It was moved by Moss, duly seconded and carried, that upon recess, the House chamber be vacated and turned over to the Democratic Majority for the purpose of a caucus.

It was moved by Byrne, duly seconded and carried, that the House recess until 1:30 o'clock P. M.

AFTERNOON SESSION

House resumed.

Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day, introduce the following:

By Lemmer: A Bill for an Act entitled: "An Act relating to the open season for the killing and taking of elk in Park County, State of Montana. Providing for the powers and duties of the Montana State Fish and Game Commission relative to the provisions of this Act, making the violation of this Act a misdemeanor, providing a penalty for such violation and repealing all Acts and parts of Acts in conflict herewith."

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried that the Employment Committee be authorized to appoint not more than 102 employees.

Unanimous consent of the House was given to correct the Journal of the first day to include the name of Albert B. Replogle, First Assistant Sergeant-at-Arms with the officers and attaches of the House.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

By unanimous consent of the House, the following bill was introduced, without notice, read first and second time at length and referred to the Committee on Appropriations.

House Bill No. 4, introduced by the Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate money for the payment of mileage and per diem to the members of the Twenty-fourth Legislative Assembly; per diem to the officers and attaches and for incidental expenses of the Twenty-fourth Legislative Assembly of the State of Montana."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration, House Bill No. 4, entitled: "An Act to appropriate money for the payment of mileage and per diem to the members of the Twenty-fourth Legislative Assembly; per diem to the officers and attaches and for incidental expenses of the Twenty-fourth Legislative Assembly of the State of Montana."

On motion by Fowler, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Fowler, duly seconded and carried, that House Bill No. 4 be considered properly printed and placed on General Orders.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

CONSIDERATION OF GENERAL ORDERS

Haight in the Chair.

Committee arose. House resumed.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 4, recommend that the same do pass.

HAIGHT, Chairman.

On motion by Haight, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Fowler, duly seconded and carried, that House Bill No. 4 be considered properly engrossed and placed on third reading.

THIRD READING OF HOUSE BILLS

House Bill No. 4, introduced by Committee on Appropriations, having been read three several times at length, title and history agreed to, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Byrnis, Busch, Buttelman, Byrne, Caldwell, Chamberlain, Chapman, Connors, Cusick, Doe, Ecton, Emmett, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, McLaughlin, Metlen, Miller (Roosevelt), Miller (Big Timber), Minette, Mitchell, Monahan, Moss, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 95.

Absent and not voting: Conner, Coultas, Emmons, Manning, Master-son, Mulholland and Stevens. Total 7.

Mr. Speaker: House Bill No. 4 has passed the House.

MOTIONS AND RESOLUTIONS

The following resolution, introduced by Toomey, was adopted:

WHEREAS, Section 5653 of the Revised Codes of Montana, 1921, requires that in every public department, and upon all public works of the State of Montana, and of any county thereof, honorably discharged soldiers and sailors of the United States "and their widows" shall be preferred for appointment and employment; age, loss of limb or any other physical impairment which does not in fact incapacitate, not constituting a disqualification provided they possess the business capacity, competency and education to discharge the duties of the position involved; and

WHEREAS, this statute is sometimes more honored in the breach than the observance, and it is proper that recognition and obedience to our laws commence with the law-making agency of our state:

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA: That the attention of the Employment Committee of the House be, and it is hereby directed to this statute and its application to the matter of employment in the House be, and it is hereby enjoined, in a spirit of full appreciation for the services of such veterans.

It was moved by Byrne, duly seconded and carried, that the House recess until 3:00 o'clock P. M.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Mileage and Per Diem, beg to submit the following report, indicating the number of miles traveled by the following members of the House, and sums due them therefor, for the Session of the Twenty-fourth Legislative Assembly, convening January 7, 1935.

It was moved by Byrne, duly seconded and carried, that the report be considered read at length and the Journal so show.

Name	Residence	Miles	Amount
Acher, John W.,	Zurich	504	\$ 35.28
Ahlgreen, Carl A.,	Ronan	364	25.48
Anderson, Eric,	Regina	706	49.42
Balgord, O. P.,	Levina	388	27.16
Ballard, Jack,	Carlyle	1032	73.64
Bertsche, W. H.,	Great Falls	196	13.72
Boone, William T.,	Deer Lodge	124	8.68
Brennan, J. P.,	Sidney	1038	72.66
Burris, Gene,	Anaconda	196	13.72
Busch, L. W.,	Baker	938	65.66
Buttelman, Wm. H.,	Willow Creek	172	12.04
Byrne, E. J.,	Galata	492	34.44
Caldwell, V. D.,	Billings	478	33.46
Chamberlain, Clarence,	Sand Creek	1102	77.14
Chapman, D. W.,	Peerless	1222	85.54
Conner, J. B.,	Farmington	314	21.93
Connors, Cain,	Butte	144	9.98
Coultas, J. E.,	Conner	690	48.30
Cusick, W. M.,	Kalispell	508	35.56
Doe, M. Everett,	Philipsburg	194	13.58
Ecton, Zales,	Manhattan	158	11.06
Egan, Hugh,	Lewistown	430	30.10
Emmett, M. F.,	Fromberg	492	34.44
Emmons, R. A.,	Anaconda	196	13.72
Ewing, G. L.,	Judith Gap	440	30.80
Foor, Arlie M.,	Wolf Point	848	59.36
Fowler, C. W.,	Billings	478	33.46
Goodwin, Phil C.,	Butte	144	10.08
Gordon, Geo. D.,	Fort Benton	284	19.88
Gray, Claude C.,	Big Timber	322	22.54
Green, Henry R.,	Lindsay	976	68.32
Groene, Merle C.,	Lewistown	430	30.10
Haight, Herbert,	Suffolk	504	35.28
Hall, DeLoss,	Ekalaka	1062	74.34
Hamilton, E. D.,	Plains	392	27.44

Harlen, Harry C., Chinook	486	34.02
Harwood, Ben, Billings	478	33.46
Haugan, K. O., Fishtail	440	29.80
Heavlin, J. B., Missoula	238	16.66
Heden, Henry T., Billings	478	33.46
Helding, Oscar, Missoula	238	16.66
Hinerman, S. A., Larslan	860	60.20
Joffray, B. N., Clancy	32	2.24
Johnson, Theodore J., Bloomfield	994	69.58
Kathan, A. E., Brady	332	23.24
Kelly, W. C., Kalispell	498	34.86
Kruse, Albert H., Brusett	994	69.58
Kuhl, Herman, Luther	596	41.72
Lasby, W. D., Townsend	66	4.62
Leary, J. E. Eureka	636	44.52
Leavitt, William B., Miles City	770	53.90
Lemmer, Frank, Great Falls	196	13.72
Liggett, J. A., Roundup	438	30.66
Lippard, Gordon J., Loma	326	22.82
Lott, Mortimer J., Twin Bridges	262	20.34
Lovell, Edward F., Anaconda	196	13.72
McCausland, Jack, Forsyth	680	47.60
McLaughlin, John, Stevensville	294	19.68
Manning, D. M., Hysham	626	43.82
Masterson, James W., Miles City	770	53.90
Metlen, Joe, Armstead	324	22.68
Miller, Guy A., Flaxville	964	67.48
Miller, Robert J., Lodgegrass	692	48.44
Minette, C. H. Dr., Cut Bank	419	29.33
Mitchell, Harry, Butte	144	10.08
Monahan, George M., Livingston	246	17.22
Moss, G. M., Whitefish	532	37.24
Mulholland, M. J., Butte	144	10.08
Mundy, G. F., Gilford	500	35.00
Neary, William, Butte	144	10.08
Nelson, Frank J., Winnett	548	38.36
Nutting, L. A., Laurel	448	31.36
O'Brien, John, Butte	144	10.08
O'Byrne, Edward, Butte	144	10.08
O'Connor, George, Fromberg	492	34.44
Ormsbee, E. R., Haugan	432	30.24
Padbury, Fred H., Helena		
Parker, Neil C., Creston	498	34.86
Peterson, Ernest A., Bozeman	196	13.72
Peterson, J. M., Hinsdale	698	48.86
Petersen, P. C., Westby	1148	80.36
Pilgeram, W. P., Armington	254	17.78
Quigley, Clyde J., Malta	641	44.87
Ritch, John B., Lewistown	430	30.10
Rolph, H. D., Joplin	500	35.00
Ryan, Thomas, Butte	144	10.08
Scofield, Chas. L., Biddle	990	69.30
Sexton, Earl M., Livingston	246	17.22
Sherman, C. H., White Sulphur Springs.....	230	16.10

Smith, Paul W., Helena		
Southmayd, Wm. P., Great Falls	196	13.72
Spiegel, Sam, Butte	144	10.08
Stevens, Chas. L., Great Falls	196	13.72
Stimatz, Thomas G., Butte	144	10.08
Stromnes, Einer J., Great Falls	196	13.72
Toomey, Edmond G., Helena		
Watson, Fred, Missoula	238	16.66
Whaley, Jas., Terry	888	62.16
White, B. C., Buffalo	420	29.40
White, Wm. R., Havre	442	30.94
Worden, Donovan, Missoula	238	16.66
York, Dr. Edward E., Plentywood	1092	76.44

\$2,347.16

Respectfully submitted,

H. D. ROLPH,
JAS. WHALEY,
NEIL C. PARKER.

On motion by Rolph, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that no unsigned printed or written matter be distributed on the desks of the members or in the House Chamber, unless approved by the Speaker or Majority Floor Leader and that the Sergeant-at-Arms be instructed to act accordingly.

It was moved by Byrne, duly seconded and carried, that Ray C. Campbell be elected Bill Clerk of the House, he being the choice of the Democratic caucus, and that the Chief Clerk be instructed to cast 68 votes for his election, his employment to date from the 1st day of the session.

The Speaker appointed the following committee:

Committee on Agriculture: Chapman of Daniels, Chairman; Hinerman of Valley, Vice-Chairman, Sexton of Park, Chamberlain of McCone, Ahlgreen of Lake, Watson of Missoula, Acher of Blaine, Ecton of Gallatin, Ballard of Wibaux, Rolph of Liberty, Gordon of Chouteau, White of Judith Basin, Miller of Roosevelt, Nutting of Yellowstone, O'Connor of Carbon.

It was moved by Byrne, duly seconded and carried, that the House adjourn until 11:00 o'clock A. M., January 10, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FOURTH DAY

House of Representatives,
Helena, Montana, January 10, 1935.

House convened, pursuant to adjournment at 11:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

Mr. Speaker: We, the Committee on Journal, having examined the Journal, for the first, second and third legislative days, find the same to be correct.

CLYDE J. QUIGLEY, Chairman.

Without objection, report adopted.

The Speaker announced the appointment of the following committees:

Education: Peterson of Valley, Chairman; Haight of Fergus, Vice-Chairman; Lippard of Chouteau, Rolph of Liberty, Whaley of Prairie, Lott of Madison, Moss of Flathead, Hedden of Yellowstone, Quigley of Phillips, Ormsbee of Mineral, Lasby of Broadwater, Minette of Glacier, Leavitt of Custer, O'Connor of Carbon, Bertsche of Cascade.

Irrigation and Water Rights: Nutting of Yellowstone, Chairman; McLaughlin of Ravalli, Vice-Chairman; Buttelman of Gallatin, Brennan of Richland, Metlen of Beaverhead, Balgord of Golden Valley, Acher of Blaine, Anderson of Phillips, Miller of Big Horn, Ewing of Wheatland, Kuhl of Carbon, Lott of Madison, Harwood of Yellowstone, Haugan of Stillwater, Masterson of Custer.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Ahlgreen: A Bill for an Act entitled: "An Act providing for the assessment and taxation of the property of freight line companies not otherwise taxed in Montana.

By O'Byrne, Spiegel, Ryan, Neary and Mitchell: A Bill for an Act entitled: "An Act to amend Section 3071 of the Revised Codes of Montana for 1921, relating to hours of labor for under-ground miners.

REPORTS OF STANDING COMMITTEES

Helena, Montana, January 10, 1935.

Mr. Speaker: We, your Committee on Employment, having had under consideration applicants for employment, beg to submit the following appointments:

Assistant Enrolling Clerk	Si Stoddard
Assistant Engrossing Clerk	Margaret Patterson
Law Clerk	R. F. Welcome
Stenographer to Floor Leader Byrne	Marie Matthews
Stenographer	Mildred Woodford
Stenographer	Ruth Richardson
Stenographer	Gene Huntington
Stenographer	Mary Barovich
Stenographer	Ruth Kelly
Stenographer	Inez Patrone
Stenographer	Zelma A. Trimble
Stenographer	Ann Panic
Stenographer	Christine Jensen
Stenographer	Donna Crouse
Stenographer	Goldie Johnson
Stenographer	Ester Sloan
Typist	James Potter
Typist	Ben Anderson
Clerical Work	J. Peter Murray
Clerical Work	Kate Rockefeller
Clerical Work	Helen Kennedy
Clerical Work	Walter Wolz
Clerical Work	Eddy Franks
Clerical Work	C. D. Graff
Clerical Work	E. H. Harris
Clerical Work	James Presbo
Proof Reader	Magnus Hoel
Proof Reader	Mary Sheehan
Proof Reader	Dora Craw

Doorman	Vincent Reiter
Janitor	Jack O'Leary
Janitor	Dan McKittrick
Janitor	S. Brady
Janitor	A. Fousek
Watchman	Frank O'Keefe

JAMES MASTERSON, Chairman.

On motion of Masterson, report adopted.

The following statement was made by the Chairman of the Employment Committee:

"The Employment Committee wishes to state that they are making every effort to care for the disabled veteran applications in conformity with the resolution passed unanimously by the House yesterday, but respectfully asks that each member also give serious consideration to the intent of this resolution before expressing their employee preference to our committee.

JAMES MASTERSON, Chairman.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following letter and report was read at length by the Chief Clerk:
The Speaker,
House of Representatives,
Helena, Montana.

Complying with the Provisions of the Constitution, I have the honor to transmit herewith a report of the pardons and commutations of sentence granted since the time of the report to the Twenty-third Assembly.

Yours truly,
F. H. COONEY, Governor.

REPORT OF PARONS, COMMUTATIONS AND REMISSIONS OF FINES, 1933-'34. BY GOVERNOR ERICKSON

Pardons

FRANK GUNN—Toole county; murder second degree; sentenced 1931 to 37 years and 4½ months. Prisoner had an incurable malady, and on recommendation of three Justices of the Supreme court, the County Attorney and others a pardon was granted January 6, 1933.

ELIJAH BESS—Stillwater county, murder; sentenced in October, 1919, to life term. Bess was nearly 70 years old and badly broken in health, and on January 12, 1933, a pardon was granted on condition that Bess go to his home in Missouri and never return to Montana.

Commutations

GERALD GREENO and SPIRY DOROLL—Carbon county; grand larceny; sentenced August 19, 1930, to eight years. Applications for clemency were supported by letters from Judge and County Attorney. On January 10, 1933, sentences were commuted to five years.

MYRTLE WAYNE and IRENE GUNN—Hill county; selling liquor to minors; sentenced January 3, 1933, to six months in county jail and fines of \$250. Sixty days of sentence having been served and fine paid, and officials representing that there were no accommodations for women prisoners, sentences were on February 2, 1933, cut to 60 days in jail.

BY GOVERNOR COONEY

Pardons

K. A. R. ANDERSON—Sweet Grass county; making false report to State Superintendent of Banks; sentenced December 2, 1931 to four years. Eleven jurors urged clemency and many citizens of Anderson's community asked it. As he had always borne a good reputation and has served a year and a half, a pardon was granted May 9, 1933.

JOHN LOGAN—Stillwater county; forgery and false statement to Superintendent of Banks; sentenced June 18, 1931, to two and five years, sentences to run concurrently. County Attorney recommended clemency and as Logan had pleaded guilty and had been a model prisoner at Deer Lodge, he was pardoned May 9, 1933.

MARY EASTER—Beaverhead county; giving liquor to a minor; sentenced February 27, 1933, to six months in county jail and a fine of \$250. Many citizens of Dillon asked that she be released, she being a poor woman with a minor child, and that no good could be done by further imprisonment. She had recently undergone a major operation, and in consideration of all of the circumstances it was deemed wise to interfere with the judgment of the court. She was pardoned May 9, 1933.

OLIVER HUGS—Yellowstone; rape; sentenced September 26, 1932, to two years. Sentence was suspended; on recommendation of the Judge who sentenced him a pardon was granted to Hugs May 8, 1933.

JOSE HERNANDEZ—Silver Bow; burglary; sentenced May 21, 1930, to ten years. He was in bad physical condition because of tuberculosis. May 10, 1933, a pardon was granted on condition that he be deported to Mexico.

WRAY YEON—Hill county; second degree burglary; sentenced July, 1932, to two years. The crime involved 30 gallons of gasoline. Yeon was only 22 years old and had an excellent prison record. A pardon was given him June 1, 1933.

JOHN MORRISON—Yellowstone county; second degree murder; sentenced in November, 1924, to 25-50 years. Morrison was in serious condition from cancer of the lung. Pardon was granted June 8, 1933.

E. C. STOVER—Hill county; rape; sentenced November 30, 1929, to 20 years. It was believed that there had been a miscarriage of justice in the case, and on October 25, 1933, a pardon was given Stover.

ED POOR—Gallatin county; grand larceny; sentenced June 20, 1914, to two years; escaped after serving nearly a year; made his way east and under an assumed name enlisted in the American army, serving overseas. He came back and settled in the middle west, married and has lived an upright life since. He was seriously ill and implored a pardon. This was granted October 27, 1933.

R. C. REED—Phillips county; forgery; sentenced December, 1930, to seven years. He was a World War veteran and in order that he might receive much needed treatment at the Veterans' hospital a pardon was given on November 7, 1933.

WALTER SMITHERS—Cascade county; third degree assault; sentenced October 31, 1933, to six months in the county jail. Numerous petitions asked clemency for Smithers, who was a man with dependents. Pardoned November 15, 1933.

SAM J. McNARY—Musselshell county; rape; sentenced June 9, 1923, to 25-50 years. McNary has reached the age of 80, and it was felt he

should be allowed to spend his remaining years outside the prison. Pardon was granted December 5, 1933. This was disapproved by the State Board of pardons.

VIRGIL A. BURCH—Missoula county, subornation of perjury; sentenced in 1926 to 5-10 years. Sentence was commuted when he had served something more than a year; he reported regularly and finally his sentence was terminated. In order that his record might be cleared a pardon was granted January 22, 1934.

MAH SAM HING—Silver Bow county; possessing narcotics; sentenced in June, 1930, to serve 5 years and pay \$3,000.00 fine. He served half his sentence and had been paroled. He had served \$430.00 of his fine and on January 24, 1934, in consideration of his age and the length of time he had served, a pardon was given him.

MONA MAY McCULLY—Sanders county; first degree murder; sentenced May 19, 1921, to life imprisonment. After serving more than nine years she was declared insane and sent to the State Hospital. She was represented as being very ill, and January 24, 1934, a pardon was granted. This was disapproved by the State Board of Pardons.

HANNAH KINDER—Chouteau county; violation of state liquor laws; sentenced to six months in the county jail and fined \$250.00. Prisoner being 73 years old and in delicate health, and it having been necessary to transfer her from the jail to a local hospital, it was deemed best to give her a pardon, and this was done March 30, 1934.

JAMES F. MURRAY—Phillips county; grand larceny; sentenced in 1916. He had served two years and three months. His term expired in 1921. Without a pardon he could not qualify for a position he sought in California. He was pardoned April 12, 1934.

RUSSELL HALVER—Hill county; minor offense; sentenced March 2, 1934, to 90 days in the county jail and fined \$200.00. He had served more than a month and secured funds with which to pay his fine and wished to take his family to a farm and put in a crop. A pardon was granted April 12, 1934, being urged by many petitioners.

WILLIAM DAVIS—Cascade county; second degree assault; sentenced in April, 1933, to two years. Because he was much needed at home and had borne a good reputation, a pardon was granted April 17, 1934.

JOHN GALLINEAU—Glacier county; assault; sentenced in December, 1933, to six months in county jail. Petitioners asserted the punishment was out of all proportion to the offense, and on May 4, 1934, a pardon was given.

HUM QUOCK—Silver Bow county; possessing narcotics; sentenced June 14, 1930, to five years and fined \$3,000.00. Having served half his term was paroled and then began serving out his fine. He had served 505 days of this when, on May 4, 1934, a pardon was given.

W. J. CRISPIN—Lewis and Clark county; grand larceny; sentenced April 23, 1934, to one year, sentence being then suspended. Because of his serious physical condition and his previous record, a pardon was issued May 22, 1934.

G. W. McBRIDE—Gallatin county; rape; sentenced April 6, 1922, to 35 years. He was suffering from cancer, and in order that he might go to Rochester for treatment a pardon was granted August 10, 1934.

DAVID DION—Blaine county; second degree burglary; sentenced in March, 1933, to three years. It appeared that the punishment was too severe for the crime, and April 14, 1933, a pardon was granted on condi-

tion that Dion remain under the jurisdiction of the State Board of Prison Commissioners as if on parole and make regular reports to that body until the expiration of his term in September, 1935.

Commutations

GEORGE WILSON—Beaverhead county; crime against nature; sentenced in November, 1927, to 10-20 years. Wilson had served 21 months in the World War and was in bad physical condition. In order that he might receive attention through Veterans' Bureau the sentence was on April 11, 1933, commuted to 5 to 10 years.

A. V. PERRY—Custer county; robbery; sentenced in 1929 to 10 years. He had never been in trouble before and had been a hard-working prisoner, and on April 11, 1933, his sentence was commuted to seven years.

THOMAS KINGERY—Powell county; rape, sentenced in February, 1932, to five years. Because there seemed some doubt as to his guilt and Kingery was sorely needed to take care of his family, his sentence was commuted on May 12, 1933, to 2½ years.

EASTON BOONE—Lake county; bank robbery, sentenced in September, 1929, to 15 years. At the time of the robbery Boone was only 20 years of age, and many citizens in his home county, Lewis and Clark, petitioned for clemency in his behalf. Feeling that the prisoner had learned a lesson never to be forgotten, his sentence was on May 13, 1933, cut to seven years.

JOE BRENNAN—Lake county; bank robbery; sentenced in September, 1929 to 15 years. Considering Brennan's good behavior in prison and the fact that he was much needed to look after his family, it was believed wise to make him eligible to parole. On May 13, 1933, his sentence was cut to seven years.

ED. B. DOUTHETT—Stillwater county; attempted rape, sentenced March, 1932, to 10 years. Liquor played a part in the trouble and Douthett assumed all blame, and it seemed that an excessive sentence had been imposed. His term was cut to 2½ years on May 22, 1933.

LESTER MUNTER—Lake county; rape, sentenced March 13, 1930, to nine years. Many citizens of his county felt that Munter had been sufficiently punished and asked clemency. On May 22, 1933, the sentence was cut to 6½ years.

FRED HARRISON—Missoula, grand larceny and former conviction; sentenced October 21, 1931, to 10 years. Offense was committed while Harrison was under the influence of liquor. The County Attorney and the complaining witness felt the prisoner had been sufficiently punished and on May 22, 1933, the sentence was commuted to 1½ years.

WALLACE AND THEODORE KAIDAH—Sweet Grass county; robbery; sentenced August 3, 1932, to five years. They were driving through the country, were without funds and entered a store at Melville to secure food. Believing that they had been sufficiently punished, the sentences were commuted to 1½ years on May 22, 1933.

JOHN TABER—Lewis and Clark county; attempted burglary; sentenced October 25, 1930, to six years. In order that he might be released to take a position awaiting him, Taber's sentence was on May 25, 1933, cut to five years.

RALPH YOUNGMAN—Cascade county; robbery; sentenced 1930 to 20 years. Good citizens of his home county, Toole, petitioned that Youngman be allowed to return and assist his aged father on the farm. His sentence was cut to six years on June 30, 1933.

ROGER SHARETTE—Cascade county; robbery; sentenced in February, 1932, to five years. While intoxicated he robbed a man of \$3.65. In view of his previous good record, his sentence was on July 7, 1933, commuted to three years.

FLOYD MURPHY—Fergus county; felony; sentenced in December, 1922, to 25-50 years. He had a good prison record and the recommendation of the District Judge, and on July 7, 1933, a commutation to 20-40 years was granted.

WALTER POWERS—Silver Bow county; robbery; sentenced December 16, 1932, to two years. Powers was only 20 years of age, and on the plea of his widowed mother, who needed the lad's assistance, the sentence was cut to one year on July 7, 1933.

HENRY TERWILLIGER AND JACK McKEARN—Jefferson county; butchering a calf; sentenced in May, 1932, to three and four years respectively. The sheriff asked clemency, saying that the men would leave the state, and accordingly on July 7, 1933, the sentence of each was commuted to two years.

RUSSELL DRONE—Sweet Grass county; robbery; sentenced in August, 1932, to five years. Drone was implicated in the robbery of a store at Melville, as set out in the Kaidahl cases, referred to above, and it was felt that he should receive the same consideration as was given them. On July 7, 1933, the sentence was cut to 1½ years.

WILLIAM A. ROHOADES—Lake county; robbery; sentenced in October, 1931, to three years. Clemency was recommended by the Judge, County Attorney and other officials, and on July 7, 1933, the sentence was cut to two years.

MILFORD DANIELS—Deer Lodge county; grand larceny; sentenced in December, 1931, to 3½ years. County Attorney recommended commutation on the ground of sufficient punishment, and on July 7, 1933, the sentence was cut to two years.

ISAAC KILLIAN—Petroleum county; grand larceny; sentenced in February, 1931, to 10 years. It seemed the crime was the result of a weak mind rather than a criminal one, and as Killian had served 2½ years his sentence was on July 7, 1933, commuted to 2½ years. This action was disapproved by the State Board of Pardons.

CARL GEORGE ANDERSON—Beaverhead county; robbery; sentenced in September, 1929, to 10 years. Because of his youth and his desire to go to his mother in Illinois, his sentence was on July 7, 1933, commuted to seven years.

ED. WARFIELD—Beaverhead county; robbery; sentenced in January, 1929, to 20-40 years. The record of the case showed that Warfield had done much toward educating himself while in prison, and it was felt that he had profited by his term in prison so that he would in the future go straight. On July 7, 1933, the sentence was cut to 11-22 years.

JERRY GOODIN—Powell county; first degree assault; sentenced October 3, 1928, to 10-20 years. The County Attorney and Sheriff recommended clemency, and that Goodin might take a job that was open to him, his sentence was on September 21, 1933, commuted to 5-10 years.

JOHN COBELL—Glacier county; robbery; sentenced in January, 1927, to 10-20 years. Cobell was represented as very ill. On September 22, 1933, his sentence was cut to 6½-13 years.

JAMES REED—Fergus county; burglary with explosives; sentenced November 2, 1928, to 15-30 years. Reed was tubercular when admitted and

his condition gradually grew worse, and the prison physician reported that Reed might die at any time. On September 22, 1933, the sentence was commuted to 5-10 years.

JOHN FINK—Fergus; burglary first degree; began serving sentence July 8, 1918. He had twice escaped and each time received an additional sentence for escape. Fink had a family to look after and rehabilitate him, and it was deemed best to give him this chance, so on September 22, 1933, his aggregate sentences of 16½-33 years were commuted to 15-30 years, making him eligible to parole.

ARNOLD PIETILLA—Silver Bow county; robbery; sentenced June, 1931, to six years. He had served more than two years for an offense that netted him \$7.80, and on petitions from numerous reputable citizens his sentence was commuted to four years on September 22, 1933.

ROY LEE—Ravalli county; first degree burglary; sentenced July, 1928, on three counts aggregating 17½-35 years; he had no prior conviction. He was past 60 years of age, and had relatives outside the state who would care for him, and on September 22, 1933, his sentences were commuted to 10-20 years.

ROBERT WARD—Cascade county; second degree murder; sentenced in November, 1929, to life imprisonment. From the record it seemed Ward should have been tried on a lesser charge and that his four years in prison had taught him his lesson, and his sentence was cut to eight years on November 11, 1933.

LOUIS GARDIPEE—Carbon county; robbery; sentenced in February, 1932, to five years. The prisoner was suffering from tuberculosis and other maladies and on the prison physician's report his sentence was on November 15, 1933, commuted to three years.

EARL MCCOY—Silver Bow county; first degree murder; sentenced March 11, 1922, to life imprisonment. It appeared that McCoy had accompanied two older men in their attempt to secure money and these two had suffered the maximum penalty for murder. McCoy had developed into an expert musician and in order to give him a chance his sentence was on November 25, 1933, cut to 11½ years.

JOHN BOSTWICK—Glacier county; second degree murder; sentenced in February, 1930, to ten years. On the pleas of many citizens of that county and because of the belief that the sentence was unduly severe, the sentence was cut to 7½ years on November 29, 1933.

FLORA BELLE BILLEDEAUX—Glacier county; second degree murder; sentenced in February, 1930, to 11 years. For reasons given in above case, her sentence was cut on November 29, 1933, to 7½ years.

JAMES HARRY—Dawson county; first degree murder; sentenced June 12, 1915, to life imprisonment. He served nearly 15 years, was paroled and went to St. Louis where he established himself in business and married. In order that he might be cleared by termination of his sentence, a commutation to 30 years was granted on December 6, 1933.

HARRY OLSON—Powell county; robbery; sentenced November 23, 1929, to 10 years. On petition of nine of the jurors and others sentence was on December 5, 1933, cut to six years.

JOSEPH DION AND GEORGE DAULTON—Blaine county; second degree burglary; sentenced March 7, 1933, to three years. A well signed petition was submitted and the presiding judge did not oppose clemency. The boys, respectively 20 and 18, had stolen some blankets from a machine shed at Chinook. On December 28, 1933, the sentences were cut to 1½ years. This action was disapproved by the State Board of Pardons.

DANIEL WHITMORE, JR.—Fergus county; rape; sentenced December 12, 1931, to eight years. Because of numerous petitions and the prisoner's previous good reputation, the sentence was on December 29, 1933, cut to four years. This action was disapproved by the State Board of Pardons.

HAROLD MARSH—Madison county; grand larceny; sentenced in October, 1933, to one year. The County Attorney thought consideration should be shown Marsh, who was needed for the support of his mother and sisters, and on January 18, 1934, the sentence was reduced to six months.

MRS. CECIL LONG—Sanders county; second degree murder; sentenced in April, 1925, to 20-45 years. She had been a model prisoner, was about 50 years of age, was recommended by the Warden, and had served almost nine years. On January 24, 1934, the sentence was commuted to 8-20 years. This was disapproved by the State Board of Pardons.

O. W. CRAWFORD—Yellowstone county; robbery; sentenced June 7, 1932, to seven years. While associated with several others, Crawford did not actually commit the robbery. Eight of the jurors petitioned in his behalf, and on the showing made it was felt that he had been too severely punished. On February 13, 1934, the sentence was commuted to three years.

HERBERT GRAY—Richland county; robbery; sentenced May 10, 1929, to 40 years. In prison he had been trained as photographer and fingerprint expert. Feeling that he had learned his lesson and might well make something worthwhile of himself the sentence was on March 16, 1934, commuted to seven years. This was disapproved by the State Board of Pardons.

OLIVER T. GRAY—Richland county; robbery; sentenced May 10, 1929, to 40 years. Because of his good record in prison as expert machinist in the license plate factory, his sentence was on March 16, 1934, cut to nine years. This action was disapproved by the State Board of Pardons.

STEWART GRAY—Richland county; robbery; sentenced May 10, 1929, to 40 years. For reasons given in two cases above his sentence was on March 16, 1934, cut to nine years. This action was disapproved by the State Board of Pardons. On September 18, 1934, commutation was renewed, cutting his sentence to 10 years, and this was approved.

ARTHUR BAKER—Richland county; robbery; sentenced in May, 1929, to 20 years. Believing that he had been sufficiently punished and because of his excellent record in prison, the sentence was on March 16, 1934, commuted to nine years.

JOE BOYD—Carbon county; robbery; sentenced March 9, 1933, to five years. It appeared that Boyd was influenced by two older men in the crime. At that time he was only 18 years old, married and living in Billings. His wife and aged mother sorely needed his help. On March 20, 1934, his sentence was commuted to two years. This was disapproved by the State Board of Pardons. On May 25, 1934, commutation was renewed, cutting the sentence to 2½ years. This action was approved.

JOSEPHINE CORICH—Cascade county; selling narcotics; sentenced in June, 1933, to five years. Because of numerous petitions and representations by reputable citizens of Great Falls, her sentence was on March 20, 1934, cut to one year. This action was disapproved by the State Board of Pardons. On August 28, 1934, commutation was renewed, cutting the sentence to one year and remitting the \$1,000.00 fine. This was approved by the Board.

FRED HOLLERS—Granite county; second degree assault; sentenced in February, 1933, to four years. Clemency was recommended by the pre-

siding judge, county attorney and other officials, and on March 30, 1934, the sentence was commuted to two years.

HERMAN HAMILTON—Yellowstone county; robbery; sentenced in June, 1932, to five years. It appeared that Hamilton had played only a minor part in the robbery, and the court officials offering no objection and the warden recommending him, Hamilton's sentence was cut to 3½ years on April 17, 1934.

DALE SOAPES—Park county; rape, sentenced in May, 1932, to five years. The presiding judge recommended reduction of sentence so Soapes could take a position that was open for him, and on April 17, 1934, his sentence was commuted to 4 years.

FAUSTO GARCIA—Richland county; voluntary manslaughter; sentenced to 10 years. February, 1932. Since his imprisonment began his family had been deported to Mexico, and in order that Garcia might also be deported, his sentence was on April 17, 1934, cut to four years.

CLEVE VICK—Valley county; robbery; sentenced in December, 1930, to 10 years. There were many representations by prominent citizens in Vick's behalf and on May 3, 1934, the sentence was commuted to seven years. This action was disapproved by the State Board of Pardons.

CHARLES D. BALLARD—Broadwater county; felony; sentenced in October, 1933, to two years. Practically all of the county officials recommended clemency and the court officials did not oppose it. On May 4, 1934, the sentence was commuted, to one year.

WILLIAM THOMAS McGUIRE—Fergus county; involuntary manslaughter; sentenced July 5, 1933, to 3½ years. The presiding judge and several county officials recommended clemency and the County Attorney did not oppose it. On May 29, 1934, sentence was commuted to two years.

J. B. GRIMSLEY—Phillips county; grand larceny; sentenced in April, 1934, to two years. This was his first misstep, and as he had a large herd of cattle on his ranch with only a wife and one child to look after the property, and many petitioners had asked for clemency, the sentence was on September 8, 1934, cut to one year. This action was disapproved by the State Board of Pardons.

WILLIAM CLARENCE CATES—Missoula county; first degree murder; sentenced to death by hanging. Petitions with more than 4,000 names were presented in Cate's behalf. Three successive respites of one month each were given him in order to afford time for consideration of the record in the case. After personal investigation and in the belief that there were mitigating circumstances, Cate's sentence was on September 18, 1934, commuted to life imprisonment. This action was disapproved by the State Board of Pardons. On October 26, 1934, a further reprieve until April 26, 1935, was given him, on the ground of discovery of new evidence.

LYNN M. NYE—Beaverhead county; grand larceny; sentenced in November, 1932, to four years. Nye had borne a good reputation, he was sorely needed to take care of his family of wife and five children, and most of the citizens of his section of the county petitioned for his release. On September 20, 1934, the sentence was reduced to three years. This was disapproved by the State Board of Pardons.

GOLDEN G. HOWARD—Prairie county; burglary; sentenced in January, 1934, to two years. Judge and County Attorney and many petitioning neighbors felt that Howard had been sufficiently punished and on September 27, 1934, his sentence was commuted to 1½ years. This action was disapproved by the State Board of Pardons.

E. A. MOELLER—Carter county; grand larceny; sentenced in December, 1933, to three years. In consideration of the facts in the case and the recommendation of judge and County Attorney, the sentence was commuted to 1½ years on September 27, 1934; this was disapproved by the State Board of Pardons.

JOSEPH HOFFMAN—Pondera county; grand larceny; sentenced in March, 1934, to five years. Assuming that he was guilty, of which there seemed some doubt, the sentence appeared to be excessive, and upon recommendation of county officials, Hoffman's sentence was on November 23, 1934, commuted to three years.

ROBERT DONNELLY—Hill county; grand larceny; sentenced in November, 1933, to three years. Petitions and letters in his behalf had been presented and examination seemed to show that the sentence was excessive. On November 24, 1934, the sentence was cut to two years.

ALBERT DESS—Cascade county; burglary; sentenced in November, 1933, to five years. At the time of the crime, Dess was about 21 years of age; his home was in Fergus county, he had borne a good reputation, and was the support of his parents. He had a good prison record, and upon the recommendation of many officials of Fergus county who know the young man, the sentence was on November 28, 1934, commuted to two years.

County Jail Cases

EARL E. SNOW—Gallatin county; receiving stolen property; sentenced to six months in county jail. He had served more than four months of his term and upon recommendation of the Board of County Commissioners the sentence was on April 14, 1933, cut to four months.

H. N. BROWN—Hill county; giving liquor to a minor; sentenced to 12 months in county jail and fined \$250.00. On recommendation of the county attorney, on April 14, 1933, Brown's sentence was commuted to two months and the fine remitted on condition that he be released to immigration officials for deportation to Canada.

JAMES WILSON—Richland county; third degree assault; sentenced April 24, 1933, to six months in jail. Wilson was 73 years old and many residents requested clemency for him. After Wilson had served more than three months the sentence was on July 10, 1933, cut to three months.

JOHN NOVOTNE—Fergus county; felony; sentenced January 26, 1934, to 90 days in jail and fined \$100.00. Novotne had an aged mother in need of his assistance. He had hitherto borne a good reputation, and the sentence seemed too severe. Petitioners asked his release. On March 6, 1934, the sentence was cut to 60 days. This was disapproved by the State Board of Pardons.

FRANK ELLER—Lewis and Clark county; petit larceny; sentenced October 30, 1934, to 90 days in jail. The sentencing justice said all of the facts had not been presented at time of sentence or it would have not been so severe. On December 5, 1934, sentence was cut to 45 days.

GEORGE FOX—McCone county; third degree assault; sentenced to four months and a fine of \$100.00. The fine had been paid and Fox had served nearly two months of his sentence. Sheriff and justice recommended a cut in sentence. On September 27, 1934, sentence was commuted to 2½ months. This was disapproved by the State Board of Pardons.

CARL FOURTNER—Rosebud county; burglary; sentenced in November, 1934, to six months in county jail. Feeling that the boy had been sufficiently punished and desiring to give him opportunity to resume his studies in high school, the sentence was on December 29, 1934, commuted to sixty days.

Fines Remitted

ED. DUSSEAU—Silver Bow county; unlawful possession of morphine; sentenced August 27, 1932, to one year in the State Prison and fined \$500.00. He would have served his year July 26, 1933, and upon recommendation of a Deputy County Attorney the fine was remitted on July 7, 1933.

FAY MORGAN—Silver Bow county; unlawfully possessing opium; sentenced in December, 1930, to one year in State Prison. She had been paroled and commenced serving out her fine, having no funds with which to pay it. On July 7, 1933, the unserved portion of the fine was remitted.

HENRY TIM—Silver Bow county; illegal possession of opium; sentenced in December, 1930, to three years in State Prison and fined \$1500.00. He had begun serving the fine. It was his first trouble, and on September 21, 1933, a remission of \$500.00 of the fine was granted.

BY ACTING GOVERNOR PAULINE

EVA B. DENNIS—Richland county; possessing mariahuana; sentenced to six months in the county jail and fined \$500.00. Application for clemency for the woman was made by the County Attorney. It appeared that the woman had four children, the youngest a baby of less than six months. She had been in jail about three months and the confinement was endangering the health of woman and child. On October 18, 1933, the sentence was commuted to three months and the fine was remitted.

It was moved by Leavitt, duly seconded and carried that the messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee on Committees this day reported as follows, report adopted:

That the following Senators be named as members of the Committee on Federal Relations: Ekegren, Chairman; Cooper, Plumer, Garrison, Colbo, and Anderson.

That the following Senators be named as members of the Committee on Fish and Game: Putnam, Chairman; Cooper, Armstrong, Carey, Harris, MacGilvra, Arnold, Baker and Shannon.

That the following Senators be named as members of the Committee on Military Affairs: Danielsens, Chairman; Wass, Arnold, Hammond, and Clifford.

That Senate Committee on Employment recommended the following persons for the positions named, report adopted:

Enrolling Clerk	Margurette Moore
Engrossing Clerk	Josephine Daly
Janitor	Thos. Stark

The Senate Committee on Rules this day, having had under consideration the creation of two new committees, as suggested by the Committee on Committees, respectfully reported as follows:

"We recommend that rule 15, line 19, Immigration, be entirely stricken and the following be substituted: "Line 19, Water Conservation and Flood Control, Membership 9."

"That Rule No. 15, Libraries, be entirely stricken and the following substituted: Line 25, Relief and Social Welfare, Membership 9."

Report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Employment: Recommend the following for the positions named:

Secretary to President Pro Tem	Margarete Holmes
Stenographer	Arlene Johnson
Stenographer	Rita Witt
Stenographer	Ruby Schwalier

Report adopted.

Committee on Mileage and Per Diem: That the mileage of each Senator has been carefully checked, and recommended that mileage be allowed and paid. Report adopted.

Committee on Committees: Recommend that two committees be created, consisting of nine members each, to be known as follows:

Water Conservation and Flood Control.

Relief and Social Welfare.

Referred to Committee on Rules, on motion of Senator Parkin.

Respectfully.

C. J. McALLISTER,
Secretary of the Senate.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following were introduced, read first and second time and referred to committees:

House Bill No. 5, introduced by Fish and Game Committee. A Bill for an Act entitled: "An Act relating to the open season for the killing and taking of elk in Park county, State of Montana, providing for the powers and duties of the Montana State Fish and Game Commission relative to the provisions of this Act, making the violation of this Act a misdemeanor, providing a penalty for such violation and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Fish and Game.

House Bill No. 6, introduced by Holding and Heavlin of Missoula. A Bill for an Act entitled: "An Act to amend Section 12093, 12094, 12095, 12097, 12098, 12099, 12100, 12101, 12103 and 12104 of the Revised Codes of Montana of 1921, relating to the execution of any person upon judgment of death, proceedings upon insanity of defendants after judgment of death, proceedings where a female against whom a judgment of death is rendered is supposed to be pregnant, place of execution of judgment of death, and who to be present thereat, and relating to the execution of any person by the Warden of the State Prison, and to the suspension of judgment of execution by the said warden and to the revival of said judgment by the Governor. Referred to Committee on Public Morals, Charities and Reforms.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following bills:

By Kelly: A Bill for an Act entitled: "An Act to amend Section 562 of the revised Codes of Montana, 1921, relating to qualifications of registered voters and repealing all Acts and parts of Acts in conflict therewith."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 5, entitled: A Bill for an Act entitled: "An Act relating to the open season for the killing and taking of elk in Park County, State of Montana, providing for the powers and duties of the of the Montana State Fish and Game Commission relative to the provisions of this Act, making the violation of this Act a misdemeanor, providing a penalty for such violation and repealing all Acts and parts of Acts in conflict herewith." Respectfully report as follows: That House Bill No. 5 do pass.

FRANK LEMMER, Chairman.

On motion by Leavitt, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Leavitt, duly seconded and carried, that House Bill No. 5 be considered correctly printed and placed on General Orders.

It was moved by Leavitt, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

CONSIDERATION OF GENERAL ORDERS

Rolph in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 5, recommend that the same do pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Leavitt, duly seconded and carried, that House Bill No. 5 be considered correctly engrossed and placed on Third Reading.

THIRD READING OF HOUSE BILLS

House Bill No. 5, introduced by Committee on Fish and Game having been read three several times at length, title and history agreed to, was passed by the following vote:

Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Caldwell, Chamberlain, Chapman, Conner, Connors, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 97.

Absent and not voting: Coultas, Kelly, McLaughlin, Metlen, Watson. Total 5.

The Speaker: 97 have voted "aye"; House Bill No. 5 has passed the House.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded, that House Rule No. 9 be amended by striking out in Sub-Division 52 the words "Waterways and Navigation", and substituting in lieu thereof: "Water Conservation and Flood Control." Motion was referred to Committee on Rules.

It was moved by Byrne, duly seconded, that House Rule No. 35 be amended by striking out all of Sub-Section 2 of Section 35. Motion was referred to Committee on Rules.

It was moved by Byrne, duly seconded and carried, that a committee of three members be appointed to join with a like committee to be appointed from the Senate for the purpose of conferring with Dr. Butler, State Director of Relief, with a view of having Dr. Butler address a joint session of the Senate and House upon relief conditions in the state.

The Chief Clerk was instructed to have the Order of Business printed and placed on the desks of the members.

It was moved by Rolph, duly seconded and carried, that the Chief Clerk be instructed to have the Roster of the House and the names of the various committees printed and placed on the desks of the members.

It was moved by Rolph, duly seconded and carried, that the House recess until 2:30 P. M.

AFTERNOON SESSION

House resumed at 2:30 P. M. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following bills:

By Leavitt: A Bill for an Act entitled: "An Act for the submission to the qualified electors of the State of Montana an amendment to Section 39 of Article 5, of the Constitution of the State of Montana, relating to obligations or liability held or owned by the state, or any county or municipal corporation therein."

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND
READING OF SAME

The following bill was introduced, read first and second time and referred to the Committee on State Boards and Officers.

House Bill No. 7, introduced by Ecton, Buttelman and Peterson of Galatin. A Bill for an Act entitled: "An Act to regulate the tenure of office of all persons appointed to state office by the appointing power under authority of law."

Mr. Speaker announced the following committee:

Federal Relations: Stevens of Cascade, Chairman; Ryan of Silver Bow, Vice Chairman; Ahlgreen of Lake, Burris of Deer Lodge, Chapman of Daniels, Egan of Fergus, Fowler of Yellowstone, Holding of Missoula, Kruse of Garfield, Lasby of Broadwater, Lovell of Deer Lodge, Manning of Treasure, O'Byrne of Silver Bow, Ormsbee of Mineral, Whaley of Prairie.

It was moved by Rolph, duly seconded and carried, that the House adjourn until Friday morning, January 11th, at 11 o'clock A. M.

W. P. PILGERAM,
Speaker.

ATTEST:
JOHN J. JEWELL, Chief Clerk.

FIFTH DAY

House of Representatives.
Helena, Montana, January 11, 1935.

House convened pursuant to adjournment at 11:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call all members were present except the following who were, without objection, excused: Byrne, Lemmer and Stevens.

Mr. Speaker: We, the Committee on Journal, having examined the Journal, for the fourth day, find the same to be correct.

CLYDE J. QUIGLEY, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 4., beg leave to report that the same has this date been returned from the printer correctly printed.

JACK McCAUSLAND, Chairman.

Without objection, report adopted.

The Speaker announced that Mr. Ormsbee requested to be excused from the Committee on Education and Mr. Watson was appointed in his place.

The Speaker announced the appointment of the following committees:

Labor: Mulholland of Silver Bow, Chairman; Monahan of Park, Vice Chairman; Masterson of Custer, O'Byrne of Silver Bow, Spiegel of Silver Bow, Emmons of Deer Lodge, Liggett of Musselshell, Chamberlain of McCone, Joffray of Jefferson, White of Hill, Ahlgreen of Lake, Ormsbee of Mineral, Holding of Missoula, O'Brien of Silver Bow, Egan of Fergus.

Highways: Cusick of Flathead, Chairman; Ritch of Fergus, Vice-Chairman, Hamilton of Sanders, Brennan of Richland, Heavlin of Missoula, Nelson of Petroleum, Leavitt of Custer, Harwood of Yellowstone, Hall of Carter, Scofield of Powder River, Moss of Flathead, Mulholland of Silver Bow, Stromnes of Cascade, Minette of Glacier, Monahan of Park.

Constitutional Amendments: Manning of Treasure, Chairman; Stimatz of Silver Bow, Vice-Chairman; Kruse of Garfield, Masterson of Custer, Hinerman of Valley, Chamberlain of McCone, Fowler of Yellowstone, Lott of Madison, Haugan of Stillwater, Watson of Missoula, Ballard of Wibaux, Chapman of Daniels, Metlen of Beaverhead, Peterson of Gallatin, Spiegel of Silver Bow.

Banks and Banking: Acher of Blaine, Chairman; Brennan of Richland, Vice-Chairman, Balgord of Golden Valley, Egan of Fergus, Southmayd of Cascade, Leary of Lincoln, Liggett of Musselshell, Worden of Missoula, Busch of Fallon, Caldwell of Yellowstone, Hedden of Yellowstone, Groene of Fergus, Goodwin of Silver Bow, Haugan of Stillwater, Petersen of Sheridan.

Workman's Compensation: Speigel of Silver Bow, Chairman; Burris of Deer Lodge, Vice-Chairman; O'Byrne of Silver Bow, Mitchell of Silver Bow, Emmett of Carbon, Chapman of Daniels, Ormsbee of Mineral, Hinerman of Valley, Monahan of Park, Kathan of Pondera, Leavitt of Custer, Fowler of Yellowstone, Lovell of Deer Lodge, McLaughlin of Ravalli, White of Hill.

Libraries: McLaughlin of Ravalli, Chairman; Peterson of Valley, Vice-Chairman; Busch of Fallon, Caldwell of Yellowstone, Gray of Sweet Grass, Johnson of Dawson, McCausland of Rosebud.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following bills:

By York and Petersen of Sheridan: A Bill for an Act entitled: "An Act to amend Chapter 116 of the Twenty-third Legislative Assembly, which is an Act relating to the granting of stays of proceedings in actions instituted in the District Courts for the foreclosure of mortgages on real estate; said amendment being for the purpose of extending the time limitation expressed therein until March 1, 1937."

By York and Petersen of Sheridan: A Bill for an Act entitled: "An Act to regulate the nomination and election of all Judges of Court of the state: Abolishing certain existing methods in such cases and the use of party or political designations at elections to such offices; imposing certain duties upon the Secretary of State and county officers having charge of election affairs and judges and clerks of elections, and adapting the provisions of the laws as they now exist to the non-partisan election of Judges of Courts of the state."

By Neary and O'Byrne of Silver Bow: A Bill for an Act entitled: "An Act to amend Sections 11,577, and 11,578, of the Revised Codes of Montana of 1921, forbidding discrimination of hospitals."

By Nutting of Yellowstone: A Bill for an Act entitled: "An Act providing for the disolution of herd law districts or portions thereof."

By Hedden of Yellowstone: A Bill for an Act entitled: "An Act to amend the state bank and building and loan laws so as to permit them to loan under Part Two of the Federal Housing Act."

By Mulholland of Silver Bow: A Bill for an Act entitled: "An Act for the submission to the qualified electors of the State of Montana, of an amendment to Section Four (4) of Article Eighteen (18) of the Constitution of the State of Montana, relating to the hours of labor, in all industries, occupations, undertakings, and employments."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bill No. 5.

G. M. MONAHAN, Chairman.

Without objection, report adopted.

I have read House Bill No. 5 as reported from the Enrolling Committee and certify same to be correct.

GENE BURRIS, Vice-Chairman.

The Speaker announced he was about to sign House Bill No. 5, whereupon the clerk read the title of the same and the Speaker did sign in the presence of the House.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bill No. 4.

G. M. MONAHAN, Chairman.

Without objection, report adopted.

This is to certify that I have received Enrolled House Bill No. 4 and find the same to be correct.

FOWLER, Chairman.

Without objection, report adopted.

The Speaker announced he was about to sign House Bill No. 4, whereupon the clerk read the title of the same and the Speaker did sign in the presence of the House.

REPORTS OF STANDING COMMITTEES

Helena, Montana, January 11, 1935.

Mr. Speaker: We, your Committee on Employment, having had under consideration applicants for employment, beg to submit the following appointments:

Assistant Reading Clerk Pitts Nevin
Secretary to Minority Leader Houston Jennings

Stenographers—Bernice LaCasse, Leona Mummedy, Winifred Rice,
Mary Dimich, Mrs. M. Steach, Alfred Thompson, Lillian Man-
non, Minerva Davis, Mildred Hankins, Mrs. Florette Compton,
Lillian Witten, Bessie Dickgrabber, Edmund Hammel, Claire
Campbell

Doorkeepers—Elmer Ladwig, S. E. White, J. S. McHenry, T. S.
Johnson, H. P. Burke, David Murphy

Proof Readers or Clerical Work—Maurice Higgins, R. C. Letcher
Joe Holecek, Curtis Linsey, Ralph Owings, Monica Plunkett,
James Brennian

Watchmen George Brundage, George Semmens
Pages Charles McEwan, Clarence Farry

Miscellaneous—Walter Thomas, George Prentice, O. J. Johnsrud,
H. P. Burke, A. J. White, Wm. Walsh, Al. Hopens, Gale
Fleischman, I. A. Hoswell, T. A. Berkin, Olive E. Welker,
Emmett Cherry, Alfred Ryder, Ray Roppe, Mrs. Frank Cas-
kin, Margaret Johnston, Guy Dodds

Janitor A. C. Edwards
MASTERSON, Chairman.

On motion by Masterson, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

It was moved by Rolph, duly seconded and carried, that the messages from the Senate be considered read at length and the Journal so show.

Helena, Montana, January 10, 1935.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 4, by Appropriations Committee, was this day introduced in the Senate, read first and second time and referred to Committee on Finance and Claims, recommended favorably by the committee, report adopted, and bill referred to General File, recommended favorably by Committee of the Whole, report adopted, and referred to calendar for Third Reading; read third time and concurred in, history and title agreed to, and bill is herewith returned to the House.

House Bill No. 5, by Fish and Game Committee, was this day introduced in the Senate, read first and second time and referred to Committee on Fish and Game, was recommended favorably by Committee on Fish and Game, report adopted, bill referred to General File; recommended favorably by Committee of the Whole, report adopted, referred to calendar for Third Reading; read third time and concurred in, history and title agreed to, and bill is herewith returned to the House.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day, reported as follows, reports adopted:

Committee on Employment: That the following be placed in the Senate organization for the positions named:

Newton Cummings	Watchman
Ethel Stenton, Margaret Riddell	Stenographers
Tom Flemming	Assistant Sergeant-at-Arms
Harold Bowden	Doorkeeper
Charles H. Mahoney	Assistant Secretary

Committee on Fish and Game: Beg leave to report to the Senate that, with the like Committee of the House, a meeting was held regarding the emergency existing relative to elk herds in Northern Yellowstone Park. At this joint meeting, it was decided that a bill be introduced in the House this day, January 10, 1935, extending the hunting season in Park County to March 1, 1935.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Finance and Claims: That H. B. No. 4 be concurred in, report adopted.

Committee on Fish and Game: That H. B. No. 5 be concurred in, report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows, reports adopted:

Committee on Committees: Recommended the following Senators to be named on the Committee on Finance and Claims: Wass, Chairman, Pauline, Vice-Chairman, Church, Simmons, Plank, Cotter, Kalberg, Kilduff, Delaney.

Committee on Committees: Recommended the following Senators to be named on the Committee on Taxation: Holt Chairman; Sparling Vice-Chairman; Kelsey, Cooper, Page, Angvick, Holt, Thien, Benjamin.

Committee on Employment: Recommend the following persons for the positions named:

Margaret Elrick	Stenographer
William Lee	Janitor

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That H. B. No. 4 be concurred in.
That H. B. No. 5 be concurred in.
Report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Cotter: A Bill for an Act entitled: "An Act creating the Montana Highway Patrol Commission, designating the members thereof, providing their duties, providing for the selection, qualification and duties of a Chief Patrol Officer and Patrolmen; defining certain offenses on the highways as menaces to the public health and safety, and fixing penalties for the infraction thereof; providing for State Drivers' licenses; creating a Highway Patrol Revolving Fund from licenses and fines. Deeming this Act an emergency Act and repealing all Acts and parts of Acts in conflict herewith."

By Carroll and Garrison: A Bill for an Act entitled: "An Act to provide for state insurance of public buildings and contents, and to provide for the valuation thereof; to provide for the duties of public officers in connection therewith; to provide for levying of assessment premiums and the payment of losses; to prevent any other manner of insuring public property; and to provide penalties for violation of this Act."

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notice of introduction was this day received:

By Clifford: A Bill for an Act entitled: "An Act to prescribe the limit of car lengths of trains which may be operated upon railroads by common carriers within the State of Montana."

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion of Senator Sparling, duly seconded and carried, the President appointed Senators Sparling, Holt and Thien as a committee to confer with a like committee from the House as to when it would be advisable to have Dr. Butler address us, and further moved that the Senate go on record as desiring to hear the remarks of Dr. Butler.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

The Speaker announced the appointment of the following committees:

Townships and Counties: Ballard of Wibaux, Chairman; Quigley of Phillips, Whaley of Prairie, Kathan of Pondera, Gordon of Chouteau, Lott of Madison, Hall of Carter, Scofield of Powder River, Conner of Teton, Kuhl of Carbon, Brennan of Richland, Miller of Roosevelt.

Railroads and Transportation: Kathan of Pondera, Chairman; Joffray of Jefferson, Vice-Chairman; Ritch of Fergus, Emmett of Carbon, Ormsbee of Mineral, York of Sheridan, Gordon of Chouteau, Ryan of Silver Bow, Lemmer of Cascade, Moss of Flathead, Foor of Roosevelt, Kruse of Garfield, McLaughlin of Ravalli, Mundy of Hill, Boone of Powell.

Apportionment and Representation: Conner of Teton, Chairman; Harlen of Blaine, Vice-Chairman; Manning of Treasure, Haight of Fergus, Scofield of Powder River, Neary of Silver Bow, Anderson of Phillips, Worden of Missoula, Kuhl of Carbon, Busch of Fallon, Miller of Roosevelt, Kruse of Garfield, Kathan of Pondera, Lasby of Broadwater, Miller of Big Horn.

It was moved by Rolph, duly seconded and carried, that the House adjourn until Monday, January 14th, at 2 o'clock P. M.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

EIGHTH DAY

House of Representatives.
Helena, Montana. January 14, 1935.

House convened pursuant to adjournment at 2:00 o'clock P. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call all members were present except the following: Merle C. Groene of Fergus.

Mr. Speaker: We, the Committee on Journal, having examined the Journal, for the fifth day, find the same to be correct.

CLYDE J. QUIGLEY, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 4 and 5, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11:50 o'clock A. M., delivered to the Governor for his approval.

G. M. MONAHAN, Chairman.

Without objection, report adopted.

The Speaker announced the appointment of the following committees:

Committee on Petroleum Oil and Gas: Minette of Glacier, Chairman; Nelson of Petroleum, Vice-Chairman; Bertsche of Cascade, O'Brien of Silver Bow, Busch of Fallon, Rolph of Liberty, Liggett of Musselshell, Hedden of Yellowstone, Emmons of Deer Lodge, Byrne of Toole, O'Connor of Carbon, Miller of Big Horn, Mundy of Hill, Ryan of Silver Bow and Fowler of Yellowstone.

Committee on Dairying: Sexton of Park, Chairman; Peterson of Sheridan, Vice-Chairman; Ballard of Wibaux, Buttelman of Gallatin, Emmett of Carbon, Nutting of Yellowstone, Cusick of Flathead, Miller of Roosevelt, Hamilton of Sanders, Kuhl of Carbon, Ahlgreen of Lake, Anderson of Phillips, Watson of Missoula, Coultas of Ravalli, Johnson of Dawson.

Committee on Entertainment: Harlen of Blaine, Chairman; Master-son of Custer, Watson of Missoula, Kelly of Flathead, Scofield of Powder River.

Committee on Public Health and Sanitary Affairs: York of Sheridan, Chairman; Holding of Missoula, Vice-Chairman; Minette of Glacier, Southmayd of Cascade, Peterson of Valley, Lasby of Broadwater, Fowler of Yellowstone, Doe of Granite, McCausland of Rosebud, Smith of Lewis and Clark, Lovell of Deer Lodge, Peterson of Gallatin, Kelly of Flathead, Lippard of Chouteau, Padbury of Lewis and Clerk.

Committee on Public Utilities and State Commissions: Ormsbee of Mineral, Chairman; Emmons of Deer Lodge, Vice-Chairman; Sexton of Park, Sherman of Meagher, Kathan of Pondera, Stimatz of Silver Bow,

Emmett of Carbon, Masterson of Custer, O'Byrne of Silver Bow, Egan of Fergus, Foor of Roosevelt, Toomey of Lewis and Clark, Parker of Flathead, Ryan of Silver Bow, Fowler of Yellowstone.

Committee on Aviation: Southmayd of Cascade, Chairman; Peterson of Gallatin, Vice-Chairman; Coultas of Ravalli, Sexton of Park, Worden of Missoula, Harwood of Yellowstone, White of Judith Basin, Anderson of Phillips, Leavitt of Custer, Groene of Fergus, Byrne of Toole, Haight of Fergus, Gray of Sweet Grass, Kelley of Flathead, Nelson of Petroleum.

Committee on Military Affairs: Kelly of Flathead, Chairman; Kruse of Garfield, Vice-Chairman; Harwood of Yellowstone, Peterson of Gallatin, Toomey of Lewis and Clark, Ecton of Gallatin, Minette of Glacier, Busch of Fallon, Groene of Fergus, Stromnes of Cascade, Chamberlain of McCone, Quigley of Phillips, Ritch of Fergus, Smith of Lewis and Clark, Foor of Roosevelt.

Committee on Livestock and Public Ranges: Sherman of Meagher, Chairman; Metlen of Beaverhead, Vice-Chairman; Haugan of Stillwater, Masterson of Custer, Gray of Sweet Grass, Sexton of Park, Lott of Madison, Whaley of Prairie, Scofield of Powder River, Miller of Big Horn, Doe of Granite, Buttelman of Gallatin, Chamberlain of McCone, Lippard of Chouteau, Balgord of Golden Valley.

Committee on Conservation of Resources: Whaley of Prairie, Chairman; Haight of Fergus, Vice-Chairman; Nelson of Petroleum, White of Judith Basin, Miller of Big Horn, Metlen of Beaverhead, Doe of Granite, Minette of Glacier, Boone of Powell, York of Sheridan, Padbury of Lewis and Clark, Ecton of Gallatin, O'Connor of Carbon, Balgord of Golden Valley, Hall of Carter.

Committee on New Counties and Divisions: Miller of Roosevelt, Chairman; Nelson of Petroleum, Vice-Chairman; York of Sheridan, Kathan of Pondera, Sexton of Park, Acher of Blaine, Hinerman of Valley, Ballard of Wibaux, Ecton of Gallatin, Chamberlain of McCone, Hall of Carter, Anderson of Phillips, Leary of Lincoln, Toomey of Lewis and Clark, Harlen of Blaine.

Committee on Mines and Mining: Mitchell of Silver Bow, Chairman; Doe of Granite, Vice-Chairman; Neary of Silver Bow, Connors of Silver Bow, Liggett of Musselshell, Mulholland of Silver Bow, Lasby of Broadwater, Joffray of Jefferson, Lott of Madison, Boone of Powell, Heavlin of Missoula, Padbury of Lewis and Clark, Goodwin of Silver Bow, McLaughlin of Ravalli, Emmett of Carbon.

Committee on Insurance: O'Byrne of Silver Bow, Chairman; Whaley of Prairie, Vice-Chairman; Burris of Deer Lodge, Spiegel of Silver Bow, Neary of Silver Bow, Johnson of Dawson, Liggett of Musselshell, Ahlgren of Lake, Padbury of Lewis and Clark, Busch of Fallon, Caldwell of Yellowstone, Byrne of Toole, Petersen of Sheridan.

Committee on Affairs of Cities: Goodwin of Silver Bow, Chairman; Gordon of Chouteau, Vice-Chairman; Harwood of Yellowstone, Hedden of Yellowstone, Toomey of Lewis and Clark, Stromnes of Cascade, Worden of Missoula, White of Hill, Kelly of Flathead, Egan of Fergus, Kathan of Pondera, Monahan of Park, Boone of Powell, Coultas of Ravalli, Gray of Sweet Grass.

Committee on Ways and Means: Hedden of Yellowstone, Chairman; Haight of Fergus, Vice-Chairman; Kruse of Garfield, Sherman of Meagher, Foor of Roosevelt, Green of Dawson, Gordon of Chouteau, Hamilton of Sanders, Ballard of Wibaux, Acher of Blaine, Nelson of Petroleum, Buttelman of Gallatin, Smith of Lewis and Clark, White of Hill, Holding of Missoula.

Public Safety Committee: Emmett of Carbon, Chairman; Ryan of Silver Bow, Vice-Chairman; Emmons of Deer Lodge, Hinerman of Valley, O'Brien of Silver Bow, Leary of Lincoln, Fowler of Yellowstone, Green of Dawson, Hall of Carter.

Committee on Privileges and Elections: Haight of Fergus, Chairman; Miller of Big Horn, Vice-Chairman; Scofield of Powder River, Miller of Roosevelt, Ryan of Silver Bow, Goodwin of Silver Bow, Hedden of Yellowstone, Leary of Lincoln, Sherman of Meagher, Connors of Silver Bow, York of Sheridan, Parker of Flathead, O'Connor of Carbon, Haugan of Stillwater, Worden of Missoula.

Committee on State Lands: Metlen of Beaverhead, Chairman; Miller of Big Horn, Vice-Chairman; White of Judith Basin, Toomey of Lewis and Clark, Buttelman of Gallatin, Cusick of Flathead, Whaley of Prairie, Emmett of Carbon, Scofield of Powder River, Haugan of Stillwater, Ewing of Wheatland, Sherman of Meagher, Busch of Fallon, Haight of Fergus, Anderson of Phillips.

Committee on Equal Suffrage: Leary of Lincoln, Chairman; O'Brien of Silver Bow, Vice-Chairman; Lippard of Chouteau, Petersen of Sheridan, Conner of Teton, Heavlin of Missoula, Johnson of Dawson, Boone of Powell, McCausland of Rosebud, Connors of Silver Bow, Caldwell of Yellowstone, Egan of Fergus, Green of Dawson, Toomey of Lewis and Clark, Mundy of Hill.

Development and Publicity Committee: Ritch of Fergus, Chairman; Johnson of Dawson, Vice-Chairman; Harlen of Blaine, O'Brien of Silver Bow, Stevens of Cascade, Mitchell of Silver Bow, Caldwell of Yellowstone, Conner of Teton, Stimatz of Silver Bow, Petersen of Sheridan, Connors of Silver Bow, Egan of Fergus, Mundy of Hill, Toomey of Lewis and Clark, Moss of Flathead.

Committee on Corporations other than Municipal: Emmons of Deer Lodge, Chairman; Harlen of Blaine, Vice-Chairman; O'Brien of Silver Bow, Heavlin of Missoula, Southmayd of Cascade, Mitchell of Silver Bow, Johnson of Dawson, Stevens of Cascade, Groene of Fergus, Stromnes of Cascade, Moss of Flathead, Caldwell of Yellowstone, Hall of Carter, Mundy of Hill, Toomey of Lewis and Clark.

Committee on Horticulture: Kuhl of Carbon, Chairman; Leary of Lincoln, Vice-Chairman; Boone of Deer Lodge, Ahlgreen of Lake, Coultas of Ravalli, Cusick of Flathead, Ryan of Silver Bow, Balgord of Golden Valley, Harlen of Blaine, Watson of Missoula, Mundy of Hill, Gray of Sweet Grass, Peterson of Gallatin, Petersen of Sheridan, Lippard of Chouteau.

Committee on Internal Improvements: Buttelman of Gallatin, Chairman; Heavlin of Missoula, Vice-Chairman; Harlen of Blaine, Boone of Powell, Joffray of Jefferson, Caldwell of Yellowstone, White of Hill, McLaughlin of Ravalli, Moss of Flathead.

Committee on Improvements and Manufacturing: Stromnes of Cascade, Chairman; Joffray of Jefferson, Vice-Chairman; Harlen of Blaine, O'Brien of Silver Bow, Heavlin of Missoula, Mitchell of Silver Bow, Hall of Carter, Mundy of Hill, Toomey of Lewis and Clark.

Committee on State Institutions, Public Buildings and Grounds: Neary of Silver Bow, Chairman; Masterson of Custer, Vice-Chairman; Ahlgreen of Lake, Mulholland of Silver Bow, O'Brien of Silver Bow, Hinerman of Valley, Burris of Deer Lodge, Worden of Missoula, Padbury of Lewis and Clark, Mundy of Hill, Leavitt of Custer, Lovell of Deer Lodge, Quigley of Phillips, Kuhl of Carbon, Cusick of Flathead.

Committee on Fairs and Expositions: Bertche of Cascade, Chairman; White of Judith Basin, Vice Chairman; Brennan of Richland, Smith of Lewis and Clark, York of Sheridan, Caldwell of Yellowstone, Padbury of Lewis and Clark, Coultas of Ravalli, Watson of Missoula, Kuhl of Carbon, Connors of Silver Bow, Sherman of Meagher, Ewing of Wheatland, Ritch of Fergus, Moss of Flathead.

Committee on Economy: Ryan of Silver Bow, Chairman; Ballard of Wibaux, Vice-Chairman; Miller of Roosevelt, Leavitt of Custer, Parker of Flathead, Gray of Sweet Grass, Hamilton of Sanders, McCausland of Rosebud, Ahlgreen of Lake, Conner of Teton, Ecton of Gallatin, Haugan of Stillwater, Goodwin of Silver Bow, Joffray of Jefferson, Peterson of Gallatin.

Committee on Revenue and Taxation: Rolph of Liberty, Chairman; Chapman of Daniels, Vice-Chairman; Manning of Treasure, Spiegel of Silver Bow, Fowler of Yellowstone, Peterson of Valley, Green of Dawson, Cusick of Flathead, Kruse of Garfield, Byrne of Toole, Lott of Madison, Haight of Fergus, Parker of Flathead, Gray of Sweet Grass, Metlen of Beaverhead.

The Speaker announced a substitution on the Committee on Engrossing: Ewing of Wheatland, Chairman; replacing Ormsbee of Mineral.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

January 12, 1935.

Mr. Speaker,
House of Representatives,
Helena, Montana.

I have the honor to advise you that I have today approved the following House measures:

H. B. 4, appropriation for the Twenty-fourth Legislative Assembly.

H. B. 5, relating to the open season on elk in Park County.

F. H. COONEY, Governor.

January 14, 1935.

The Speaker,
House of Representatives,
Helena.

I have the honor of transmitting herewith a copy of a letter recently received from President Roosevelt relative to the matter of certain legislation needed to make Titles II and III of the National Housing Act more effective, together with a copy of a letter from the Administrator of the Federal Housing Administration and a copy of the suggested legislation.

The correspondence is transmitted with the recommendation that your Honorable Body take such action as may be necessary in the premises.

F. H. COONEY, Governor.

THE WHITE HOUSE
Washington

December 17, 1934.

My Dear Governor:

I am enclosing a copy of a letter to me from Mr. James A. Moffett, the Administrator of the Federal Housing Administration. This letter calls my attention to the need for certain legislation to make Titles II and III of the National Housing Act more effective.

Amendments to existing state laws seem to be called for in practically every state—forty-four of them—in which state legislatures are meeting this winter.

Mr. Moffett tells me that the bill passed by the Legislature of the State of New York, in Special Session last August, seems to meet the general needs. I am enclosing a copy of this bill.

It would give me great satisfaction if you would give this matter your most careful consideration with the object, if you approve, of obtaining legislation in your state in 1935.

If you would care to have any further information in regard to the details or objects relating to this subject, I shall be glad to have you call on Mr. Moffett at any time.

Very sincerely yours,

(signed) FRANKLIN D. ROOSEVELT.

His excellency,
Frank H. Cooney,
Governor of Montana,
Helena, Montana.

FEDERAL HOUSING ADMINISTRATION
Washington

December 11, 1934.

My Dear Mr. President:

In order that the Federal Housing Administration may attain a full measure of success throughout the country, it is essential that banks, insurance companies, building and loan associations, trust companies, fiduciaries and other investors be able legally to make insured mortgage loans, and to invest in insured mortgages and in national mortgage association obligations, as provided by the National Housing Act.

You may recall that Title II of the National Housing Act, in order to create a sound mortgage market and induce mortgage money to finance new construction, provided for the insurance of long term, low interest-bearing, fully amortized home mortgage loans, by authorizing the creation of a federal mutual insurance fund. Title III of that Act authorizes the creation of national mortgage associations subject to the supervision and control of the Federal Housing Administrator. The object of these associations is to provide a liquid market for home mortgages and thus to aid in establishing a more sound national credit system.

At the present time there are in the states various statutory limitations upon loans and investments by the aforementioned investing institutions, which restrict their ability to benefit fully from the National Housing Program. A similar limitation upon the lending power of national banks has already been removed by the Congress.

The legislatures of many states will convene during the next few months. Could you not, with propriety, suggest to the Governors of these states that their statutes should be amended as soon as possible so that banks, insurance companies, building and loan associations, trust companies, fiduciaries and all other investors under statutory restrictions might be permitted legally to make insured mortgage loans and to invest in insured mortgages and in national mortgage association obligations as provided by the National Housing Act?

Respectfully yours,

J. A. MOFFETT, Administrator.

The President,
The White House,
Washington, D. C.

STATE OF NEW YORK
No. 195
IN ASSEMBLY
Extraordinary Session

Rec. 60

August 17, 1934.

Senate Bill No 187, introduced by Mr. Wald—amended on second reading, ordered reprinted, and passed.

An Act to authorize corporations and private bankers subject to the provisions of the banking law to make loans, advances of credit and purchases in accordance with the provisions of an Act of Congress, entitled "National Housing Act," approved by the President on June twenty-seven, nineteen hundred thirty-four, and exempting such loans, advances of credit and purchases from the application of general statutes.

The people of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subject to such regulation as may be prescribed by the Federal Housing Administrator, acting pursuant to the Act of Congress, entitled "National Housing Act," approved on June twenty-seventh, nineteen hundred thirty-four, and to such regulations as the Banking Board finds to be necessary and proper, corporations and private bankers subject to the banking law are authorized:

(A) To make such loans and advances of credit and purchases of obligations representing loans and advances of credit as are eligible for insurance pursuant to Title One Section Two of such National Housing Act and to obtain such insurance.

(B) To make such loans secured by mortgages on real property as are eligible for insurance pursuant to Title Two of such National Housing Act and to obtain such insurance.

No law of this state prescribing the nature, amount or form of security or requiring security upon which loans or advances of credit may be made, or prescribing or limiting interest rates upon loans or advances of credit, or prescribing or limiting the period for which loans or advances of credit may be made shall be deemed to apply to loans, advances of credit or purchases made pursuant to the foregoing paragraphs (a) and (b).

2. Subject so such regulations as the Banking Board finds to be necessary and proper, building and loan associations and savings and loan associations are authorized to secure insurance from the Federal Savings and Loan Insurance Corporation pursuant to Title Four of such National Housing Act.

3. This Act shall take effect immediately.

(2473 Rev. 11-20-34)

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day, introduce the following bills:

By O'Byrne and Spiegel: A Bill for an Act entitled: "An Act to amend Section 1760, Revised Codes of Montana for 1921, as amended by Chapter 38, Laws of the Extraordinary Session of the Twenty-third Legislative Assembly, relating to the registration and registration fees of motor vehicles and dealers thereof, and distribution of the revenues received therefrom."

By Fowler: A Bill for an Act entitled: "An Act to amend Sections 5 and 7 of Chapter 155, Common Laws of the Twenty-third Legislative Assembly, relating to license fees for opening, establishing and operating or maintaining one or more stores."

By Haight: A Bill for an Act entitled: "An Act providing that no deficiency judgments shall exist after foreclosure of mortgages executed for securing payment of unpaid balance on the purchase price of real property and defining the term foreclosure."

By Goodwin and Connors: A Bill for an Act entitled: "An Old Age Pension Law."

By Stimatz: A Bill for an Act entitled: "An Act to provide for the submission to the qualified electors of the State of Montana by adding thereto an article to be known as Article XXII, providing for the payment of adjusted compensations to bona fide residents of the State of Montana who serve on active duty in the army, navy, or marine corps of the United States in the World War and to such of said persons who being citizens of the United States served in the naval, military or air forces of any of the governments associated with the United States during said war, and authorizing the incurring of an indebtedness; authorizing the issuing of bonds providing for the levy of a tax."

By Nutting: A Bill for an Act entitled: "An Act relating to the assessment of real estate for the purpose of taxation."

By Minette: A Bill for an Act entitled: "An Act establishing the State Board of Dental Examiners and specifying the qualifications, term of office and compensation, and providing for the appointment of the members of the board, prescribing the powers and duties of said board, specifying the qualifications of applicants for licenses to practice dentistry and dental hygiene within the State of Montana, providing for the examination of such applicants and the fees to be paid by them, the issuance of licenses to successful applicants, defining and regulating the practice of dentistry within the State of Montana, prohibiting the practice of dentistry without a license and providing penalties for the violation thereof, defining and prohibiting unprofessional conduct of dentists and specifying the grounds and procedure for the revocation of licenses, prescribing penalties for the violation of the law in the particulars therein specified and repealing all Acts in conflict therewith."

By Leavitt: A Bill for an Act entitled: "An Act relating to the licensing of persons operating motor vehicles upon the highways of the state; prescribing the persons and operators to be licensed, the form of license and the fees to be charged therefor; providing for the suspension and revocation of any license issued and prescribing penalties for the violation of the provisions of this Act."

By Leavitt: A Bill for an Act entitled: "An Act to be known and designated as a gross income replacement tax; providing for the raising of revenue by imposing a tax upon the receipt of gross income; providing generally for the levy, assessment, collection and distribution thereof; providing for regulatory measures for the enforcement of said Act; providing for exemptions therefrom; imposing penalties for violations of the provisions of this Act and repealing Chapter 181 of the Laws of the Twenty-third Legislative Assembly, 1933, Chapter 40 of the Extraordinary Session of the Twenty-third Legislative Assembly and all other Acts and parts of Acts in conflict herewith."

By York and Petersen: A Bill for an Act entitled: "An Act to amend Section 2231, Revised Codes of Montana, in relation to assessment and sale of real estate for taxes."

By McLaughlin: A Bill for an Act entitled: "An Act appropriating money for the payment of the claim of Catharine Crossland Smith as compensation for expenses incurred by her husband, the late Robert B. Smith, while in the performance of his duties as Governor of the State of Montana."

By Haight: A Bill for an Act entitled: "An Act providing for the maximum legal rate of interest effective in Montana; defining usurious interest contracts; providing for the cancellation of said contracts; providing for building association contracts; defining salary and chattel mortgage loans and fixing the legal rate of interest thereon; prescribing penalties for the violation of the provisions of this Act; and repealing Sections 7725, 7726, 7727, and 7728 of the Revised Codes of Montana 1921."

By Cusick: A Bill for an Act entitled: "An Act to amend Section 1536, Revised Codes of Montana for 1921, as amended by Section 2, Chapter 126, Nineteenth Legislative Assembly, relating to the admission of wives and widows of soldiers and sailors to the Soldiers' Home."

By Cusick: A Bill for an Act entitled: "An Act to amend Section 1760, Revised Codes of Montana for 1921, as amended by Chapter 38, Laws of the Extraordinary Session of the Twenty-third Legislative Assembly, relating to the registration and registration fees of motor vehicles and dealers thereof, and distribution of the revenues received therefrom."

REPORTS OF SELECT COMMITTEES

We, the Special Committee of the House, having at the direction of the House, met with the Senate Committee, and as a Joint Committee duly met with Dr. W. J. Butler, head of the Montana Relief Commission, have invited and requested him to address a Joint Assembly on the questions and problems of Montana Relief.

Your Joint Committee wishes to report that Dr. W. J. Butler, head of Montana Relief Commission has consented to address our Joint Assembly at 2:00 P. M., Tuesday, January 15, and your committee recommends that we meet in Joint Assembly January 15, at 2:00 P. M., to hear Dr. Butler's address.

G. L. EWING,
FRED PADBURY,
SAM SPIEGEL.

On motion of Ewing, report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Employment, having had under consideration applicants for employment, beg to submit the following appointments:

Clerk	J. Melvin McPheeters
Page to Speaker	Sunny Henwood
Watchmen	Rev. O. J. Hagan, S. E. Olson
	MASTERSON, Chairman.

On motion of Masterson, report adopted.

Mr. Speaker: We, your Committee on Rules, having had under consideration a motion entitled: Move that House Rule No. 9 be amended by striking out in Subdivision 52 the words, "Waterways and Navigation" and substituting in lieu thereof, "Water Conservation and Flood Control."

Respectfully report as follows: That motion be amended as follows:

Said motion be withdrawn, and that as substitute, the following be inserted:

"That a new committee be established to be called the Committee on "Water Conservation and Flood Control," and that the committees be numbered accordingly, and that the substitute motion be recommended for adoption.

BYRNE, Chairman.

On motion of Byrne, report adopted.

MOTIONS AND RESOLUTIONS

The following House Joint Resolution was introduced and referred to the Committee on Judiciary.

House Joint Resolution No. 2, introduced by Bertsche and Stromnes, entitled: "Relative to limiting the time of the Twenty-fourth Legislative Assembly."

It was moved by Byrne, duly seconded, that House Rule No. 35 be amended by striking out all of Sub-section 2 of Section 35. Motion was referred to Committee on Rules, Joint Rules and Order of Business.

By and with the consent of the Senate, it was moved by Byrne, duly seconded that, Joint Rule No. 23 be amended as follows:

TRANSMISSION OF BILLS

No bills transmitted by the House to the Senate, nor by the Senate to the House, after the fiftieth day of the session, and no amendments transmitted by the House to the Senate, nor by the Senate to the House, after the fifty-eighth day of the session, shall be considered, with the exception of bills considered by a Joint Conference Committee. Bills from said committees may be transmitted at any time up to and including the sixtieth day.

Joint Rule No. 19, however, shall be in full force and applicable as to Rule No. 24.

BYRNE.

Referred to Committee on Rules, Joint Rules and Order of Business.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following were introduced, read first and second time and referred to committees.

House Bill No. 8, introduced by Kelly: A Bill for an Act entitled: "An Act to amend Section 562 of the Revised Codes of Montana, 1921, relating qualifications of registered voters and repealing all Acts and parts of Acts in conflict therewith." Referred to Committee on Privileges and Elections.

House Bill No. 9, introduced by Neary and O'Byrne: A Bill for an Act entitled: "An Act to amend Sections 11,577, and 11,578 of the Revised Codes of Montana of 1921, forbidding discrimination by hospitals." Referred to Committee on Public Health and Sanitary Affairs.

House Bill No. 10, introduced by York and Petersen of Sheridan: A Bill for an Act entitled: "An Act to amend Chapter 116 of the Twenty-third Legislative Assembly, which is an Act relating to the granting of stays of proceedings in actions instituted in the District Courts for the foreclosure of mortgages on real estate; said amendment being for the purpose of extending the time limitation expressed therein until March 1, 1937." Referred to Committee on Judiciary.

House Bill No. 11, introduced by York and Petersen of Sheridan: A Bill for an Act entitled: "An Act to regulate the nomination and election of all Judges of Court of the state: Abolishing certain existing methods in such cases and the use of party or political designations at elections to such offices; imposing certain duties upon the Secretary of State and county officers having charge of election affairs and judges and clerks of election, and adapting the provisions of the laws as they now exist to the nonpartisan election of Judges of Courts of the of the state." Referred to Committee on Privileges and Elections.

House Bill No. 12, introduced by Nutting: A Bill for an Act entitled: "An Act providing for the dissolution of herd districts or portions thereof in the State of Montana." Referred to Committee on Livestock and Public Ranges.

House Bill No. 13, introduced by Stromnes: A Bill for an Act entitled: "An Act to encourage and aid state industrial recovery in conjunction with

national industrial recovery, and to aid in the reestablishment of industry in the State of Montana and to effectuate its control by license, permit, or otherwise; to foster fair competition to the end that fair wages will be paid to workers; to provide penalties for violation of the provisions of this Act; and to give to the Governor necessary authority fully to cooperate with the President of the United States and the agencies set up by him under the provisions of the Act known as the "National Industrial Recovery Act," including authority to appoint a board to carry out the provisions of this Act." Referred to Committee on Federal Relations.

House Bill No. 14, introduced by Holding and Mulholland: A Bill for an Act entitled: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section Four (4) of Article Eighteen (18) of the Constitution of the State of Montana, relating to the hours of labor in all industries, occupations, undertakings and employments." Referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules, having had under consideration a motion entitled: "Move that House Rule No. 35 be amended by striking out all Sub-section 2 of Section 35."

Respectfully report as follows: That motion be adopted.

BYRNE.

On motion by Byrne, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

It was moved by Byrne, duly seconded and carried, that the messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day in open session gave notice that he was about to sign, and did sign:

House Bill No. 4

House Bill No. 5

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day, on motion, appointed the following Senators as a committee to draft suitable resolutions on the death of the late Joseph M. Dixon: Campbell, Pauline, Church.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction of bills were this day received:

By Campbell and Larson: A Bill for an Act entitled: "An Act to regulate the nomination and election of all judges of courts of the state; abolishing certain existing methods in such cases and the use of party or political designations at elections to such offices; imposing certain duties upon the Secretary of State and county officers having charge of election affairs and judges and clerks of election, and adapting the provisions of the laws as they now exist to the nonpartisan election of judges of court of the state."

By Kilduff: A Bill for an Act entitled: "An Act to provide for the submission to the qualified electors of the State of Montana of an amendment to Article VI of the Constitution of the State of Montana, relating to Senators and Senatorial Districts, by amending Section 4 and repealing Section 5 of such article."

By Simmons: A Bill for an Act entitled: "An Act defining what constitutes discrimination in the sale of any standard petroleum product within the State of Montana; declaring discrimination to be a fraud; making parties violating Act guilty of misdemeanor; fixing burden of proof; defining the term "standard petroleum product"; purpose and intent of the Act; duty of County Attorney; providing penalties for violation of the Act, and repealing all Acts and parts of Acts in conflict herewith."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

The Speaker announced the appointment of Cusick of Flathead to the Fish and Game Committee, place of Parker of Flathead.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Tuesday morning, 11:00 o'clock A. M., January 15, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

NINTH DAY

House of Representatives,
Helena, Montana, January 15, 1935.

House convened pursuant to adjournment at 11:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call all members present except Lasby and Moss who were excused.

Mr. Speaker: We, the Committee on Journal, having examined the Journal, for the eighth day, find same to be correct.

CLYDE J. QUIGLEY, Chairman.

Without objection, report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following bills:

By Peterson, Haight, Hinerman: A Bill for an Act entitled: "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section 5 of Article XVI of the Constitution of the State of Montana, as amended by Chapter 80 of the Laws, Resolutions and Memorials of the State of Montana, passed by the Twenty-third Legislative Assembly in regular session, and approved by the vote of the qualified electors of the state at the General Election of November 6, 1934, by eliminating from said Section 5 of Article XVI of the said constitution the office of County Superintendent of Schools."

By Smith of Lewis and Clark: A Bill for an Act entitled: "An Act to appropriate money for the payment of certain deficiency claim against

the State of Montana of Thomas Riis as compensation for services rendered by him as Custodian of the Montana State Fair Grounds and Buildings from the first day of January, 1933 to and including the first day of July, 1933."

By Haight: A Bill for an Act entitled: "An Act providing for the submission of an amendment to the Constitution of the State of Montana relating to the legislative authority thereof by amending Sections 1, 2, 3, 4, 5, 6, 7, 9, 12, 16, 19, 21, 22, 24, 40, and 45 of Article 5 and repealing Sections 8, 10, 11, 13, 14, 27, and 32 of Article 5 and Sections 2, 3, 4, 5, and 6 of Article 6 of such constitution."

By Foor: A Bill for an Act entitled: "An Act to amend Sections 81 and 82 of Chapter 148 of the Laws of 1931. An Act to establish a uniform code of laws relative to high schools as a part of the public school system of the State of Montana."

By Foor: A Bill for an Act entitled: "An Act to amend Section 8 of Chapter 178, Laws of 1933. Providing for a budget system for making and controlling estimates, expenditures and tax levies for district high school and county high school purposes; prescribing the powers and duties of Boards of School District Trustees and Boards of Trustees of County High Schools, Boards of School Budget Supervisors and county boards and officers in connection with the making of such budgets and such estimates, expenditures and tax levies."

By Parker: A Bill for an Act entitled: "An Act to amend Section 662 of the Revised Codes of Montana, 1921, as amended by Chapter Six of the Session Laws of 1933, and relating to County or City Central Committeemen, and their powers, and providing for two County Central Committeemen, one a man, and one a woman, for each county precinct, and two such State Central Committeemen, one a man, and one a woman, from each county.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Employment, having had under consideration applicants for employment, beg to submit the following appointments:

Assistant Law Clerk	Hugh Lemire
Stenographers	Madelaine Shea, Relda Rose
	MASTERSON, Chairman.

On motion of Mulholland, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

It was moved by Byrne, duly seconded and carried, that the Senate messages be considered read at length and the Journal so show.

January 14, 1935.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Committee on Employment this day reported the selection of the following in the Senate organization for the positions named, report adopted:

T. J. Bushell, Printing Clerk	Effective January 7
Lois Enhoff, Assistant Journal Clerk	Effective January 14
Clifford Daws, Mailing Clerk	Effective January 14
D. C. Keister, Assistant Enrolling Clerk	Effective January 17
Mary Walker, Assistant Engrossing Clerk	Effective January 17
Howard Eliason, Clerk	Effective January 14
Forest Curren, Clerk	Effective January 14
Patrick Patton, Clerk	Effective January 14
Wm. A. Ruffcorn, Clerk	Effective January 14

O. B. Wickersham, Clerk	Effective January 17
R. E. Spurling, Clerk	Effective January 17
Mable L. Trapp, Stenographer	Effective January 14
Margaret Lehsou, Stenographer	Effective January 14
Leona Zent, Stenographer	Effective January 14
Velma Pomeroy, Stenographer	Effective January 14
Mary Cooney, Stenographer	Effective January 15
Marie Maynard, Stenographer	Effective January 16
Charlotte Imes, Stenographer	Effective January 17
Elizabeth Larkin, Typist	Effective January 15
Miss Casey, Proofreader	Effective January 17
M. M. McMahon, Proofreader	Effective January 17
Robert Gibson, Proofreader	Effective January 17
Forest Oliver, Proofreader	Effective January 17
Geo. Gehsin, Janitor	Effective January 10
Don Ausmundson, Janitor	Effective January 14
B. O. Wilson, Janitor	Effective January 17

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee on Committees this day reported the selection of the following Standing Committees, report adopted:

Committee on Agriculture: Senators Angvick, Chairman; Anderson, Vice-Chairman; MacGilvra, Danielsens, Blankenbaker, O'Day, Hollenback, Colbo, Arnold.

Committee on Apportionment and Representation: Senators Nass, Chairman; Sibbert, Sullivan.

Committee on Aviation: Senators O'Day, Chairman; MacGilvra, Campbell, Holt, Melton.

Committee on Banks and Banking: Senators Lamp, Chairman; Kilduff, Vice-Chairman; Larson, Campbell, Blankenbaker, O'Day, Stevens, Oliver, Groff.

Committee on Compensation: Senators Garrison, Chairman; Clifford, Page, Pauline, Murphy.

Committee on Constitutional Amendments: Senators Carroll, Chairman; Plumer, Lamp.

Committee on Corporations Other than Municipal: Senators Murphy, Chairman; Keeley, Vice-Chairman; Coburn, Melton, Oliver, Shannon, Benjamin.

Committee on Counties and Towns: Senators Thien, Chairman; Hennessy, Vice-Chairman; Putnam, Parkin, Kalberg, Nass, Sullivan, Sibbert, Hammond.

Committee on Dairies and Dairying: Senators Lamp, Chairman; Carey, Hennessy, Groff, Baker.

Committee on Education: Senators Plank, Chairman; Parkin, Vice-Chairman; Eaton, Holton, Kelsey, Murphy, Lamp.

Committee on Engrossed Bills: Senators Anderson, Chairman; MacGilvra, Plumer.

Committee on Elections and Privileges: Senators Harris, Chairman; Hennessy, Delaney, Liess, Shannon.

Committee on Enrolled Bills: Senators Oliver, Chairman; Baker, Hollenback.

Committee on Fairs and Expositions: Senators Church, Chairman; O'Day, Arnold, Nass, Stevens.

Committee on Horticulture: Senators Baker, Chairman; MacGilvra, Cooper, Groff, Shannon.

Committee on Insurance: Senators Parkin, Chairman; Plumer, Vice-Chairman; Thien, Church, Carroll, Groff, Garrison.

Committee on Irrigation and Water Rights: Senators Hennessy, Chairman; Ekegren, Vice-Chairman; Keeley, Putnam, Stevens, Anderson, Groff, Arnold, Sullivan.

Committee on Judicial Districts: Senators Coburn, Chairman; Armstrong, Kilduff, Pauline, Keeley.

Committee on Judiciary: Senators Simmons, Chairman; Meyer, Vice-Chairman; Campbell, Lamp, Coburn, Cotter, Melton, Sparling, Thien.

Committee on Labor and Capital: Senators Meyer, Chairman; Simmons, Vice-Chairman; Keeley, Page, Murphy, Clifford, Cotter.

Committee on Mines and Mining: Senators Cotter, Chairman; Page, Murphy, Sullivan, Garrison.

Committee on New Counties and Divisions: Senators Hollenback, Chairman; Coburn, Larson, Plumer, Hammond.

Committee on Oils and Leases: Senators Benjamin, Chairman; Carroll, Vice-Chairman; Coburn, Kalberg, Kilduff, Colbo, Hollenback.

Committee on Printing: Senators Hennessy, Chairman; Armstrong, Liess.

Committee on Public Buildings: Senators Sibbert, Chairman; Clifford, Vice-Chairman; Parkin, Page, Keeley, Sparling, O'Day.

Committee on Public Lands: Senators Harris, Chairman; Sparling, Vice-Chairman; Holton, Melton, Wass, Plank, Hollenback, Sibbert, Angvick.

Committee on Public Morals: Senators Kalberg, Chairman; Wass, Danielsen, Harris, Church.

Committee on Railroads and Transportation: Senators Clifford, Chairman; Liess, Vice-Chairman; Pauline, Campbell, Nass, O'Day, Armstrong.

Committee on Relief and Social Welfare: Senators Kalberg, Chairman; Holt, Vice-Chairman; Thien, Angvick, Holton, Meyer, Delaney, Oliver, Danielsen.

Committee on Roads and Highways: Senators Kelsey, Chairman; Danielsen, Vice-Chairman; Cooper, Putnam, Plumer, Carey, Nass, Benjamin, Hammond.

Committee on Sanitary Affairs: Senators Plumer, Chairman; Meyer, Delaney.

Committee on State Boards and Offices: Senators Hollenback, Chairman; Murphy, Holt, Holton, Delaney.

Committee on State and County Economies: Senators Blankenbaker, Chairman; Larson, Vice-Chairman; Shannon, Kalberg, Ekegren, Carey, Colbo, Baker, Anderson.

Committee on Stockgrowing and Grazing: Senators Armstrong, Chairman; Harris, Vice-Chairman; Larson, Ekegren, Garrison, Sibbert, Blankenbaker, Stevens, Liess.

Committee on Water Conservation and Flood Control: Senators Holt, Chairman; Kelsey, Vice-Chairman; Armstrong, Wass, Simmons, Plank, Carroll, Thien, Cotter.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee on Federal Relations this day, having had under consideration S. J. R. No. 2, respectfully report as follows:

That S. J. R. No. 2 do pass.

Report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time, and referred to committees:

S. B. No. 1, by Parkin and Melton: A Bill for an Act entitled: "An Act to clarify existing laws and declare the policy of the state respecting the eligibility for appointment of members of the Legislative Assembly to state offices or as employees of the state during the term for which they shall have been elected."

Referred to Committee on Judiciary.

S. B. No. 2, by Simmons: A Bill for an Act entitled: "An Act defining what constitutes discrimination in the sale of any standard petroleum product within the State of Montana; declaring discrimination to be a fraud; making parties violating Act guilty of misdemeanor; fixing burden or proof; defining the term 'standard petroleum product'; purpose and intent of the Act; duty of County Attorney; providing penalties for violation of the Act, and repealing all Acts and parts of Acts in conflict herewith."

Referred to Committee on Oils and Leases.

S. J. R. No. 3, by Simmons and Thien: A joint resolution providing for the employment of additional help during the Twenty-fourth Legislative Session of the State of Montana.

Referred to Committee on Judiciary.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction of bills were this day received:

By Simmons: A Bill for an Act entitled: "An Act relating to the closed season for deer and elk in Carbon County, State of Montana; providing for the power and duties of the Montana State Fish and Game Commission relative to the provisions of this Act; making the violation of this Act a misdemeanor and providing a penalty for such violation; and repealing all Acts and parts of Acts in conflict herewith."

By Putnam, Page, Baker, Danielsen, Melton, Holt, Sullivan, Plank, Hammond, Anderson, Clifford, Delaney, Benjamin, Hennessy, Nass, Colbo, Blankenbacker, Plumer, Sparling, Meyer and Murphy: A Bill for an Act entitled: "An Act to provide for the submission to the qualified electors of the State of Montana of an amendment to Article XVI of the Constitution of the State of Montana by adding thereto a section to be known as Section 8, prohibiting the abandonment, abolition, and/or consolidation of counties in whole or in part or at all except by a majority vote of the duly qualified electors in the county or counties proposed to be abandoned, abolishing and/or consolidated."

By Oliver: A Bill for an Act entitled: "An Act to amend Sections 1999 and 2000 of the Revised Codes of Montana of 1921 relating to the classification of taxable property."

By Clifford: A Bill for an Act entitled: "An Act relating to deficiency judgments; prohibiting the taking of deficiency or other personal judgments against chattel mortgagors, makers of conditional sales contracts and any and all other instruments whereby personal property is or may be hypothecated as security for the payment of debt and repealing all Acts and parts of Acts in conflict herewith."

By Meyer: A Bill for an Act entitled: "An Act to repeal Section 11,177 of the Revised Codes of 1921."

By Meyer: A Bill for an Act entitled: "An Act to repeal Section 10761 of the Revised Codes of Montana, 1921."

By Arnold: A Bill for an Act entitled: "An Act to amend Sections 8276, 8277, 8279 and 8280 of the Revised Codes of Montana, 1921, relating to chattel mortgages, and providing for a central filing and reporting system, for chattel mortgages, and for the expiration of the lien of chattel mortgages as to all persons, and amending Section 145 of the Revised Codes of Montana, 1921, relating to the fees of the Secretary of State in connection therewith."

By Clifford: A Bill for an Act entitled: "An Act providing for the installation of headlights and pilots on the rear of all locomotives propelled by any form of energy operating on all railroads of common carriers within the State of Montana."

By Larson: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 71, Laws of Montana, 1921, relating to the collection of special assessments, including those levied by irrigation and drainage districts, by county treasurers."

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motion by Senator Meyer was this day made, seconded and carried:

"I move that any employee of the Senate who shall, except at the request of a Senator, aid or assist any person lobbying for or against any bill, memorial, or resolution of the House or Senate after its introduction or transfer to the Senate or who shall divulge except at the request of a Senator, any information of the executive meetings of a committee, shall be subject to the penalty of an immediate discharge."

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motion by Senator Cooper and Pauline was this day made, seconded and carried:

Mr. President: I move that it be the sense of the Senate that the Secretary of State be directed to furnish the members of the Senate with copies of the December, 1934, payroll, the same to include all state officials and employees in the Capitol building, and that he be further directed to indicate what increases or decreases in salaries have been made by the Board of Examiners during the preceding biennium, and that this report be placed on the desks of the members of the Senate not later than January 20, 1935."

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motion by Senators Cooper and Pauline; was this day made, seconded and carried:

"Mr. President: I move that it be declared the sense of the Senate that the State Accountant furnish the members of the Senate with a statement of the name of all persons who were employed to teach in each and all of the units composing the University of Montana during the year 1934, the amount paid each of such persons during said year for his ser-

vices, and specifying the services performed therefor; also a statement showing the names of all teachers who were paid salaries during the years 1933 and 1934, who were absent from said schools and did no actual teaching for the salary paid them, if any, and the amount paid to each for the period of their absence; and further that copies of said statements be placed upon the desks of the members of the Senate not later than the 22nd day of January, 1935."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee appointed to confer with a House Committee for the purpose of making arrangements for Dr. W. J. Butler, State Relief Administrator, to address a Joint Meeting of the Senate and House, begs leave to report as follows:

"Arrangements have been perfected for Dr. Butler to appear before a Joint Session at 2:00 o'clock on the afternoon of January 15th."

Report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF THE SAME

The following bill was introduced, read first and second times at length and referred to the Committee on Appropriations.

House Bill No. 15, introduced by McLaughlin: A Bill for an Act entitled: "An Act appropriating money for the payment of the claim of Catherine Crossland Smith as compensation for expenses incurred by her husband, the late Robert B. Smith, while in the performance of his duties as Governor of the State of Montana."

The following were introduced, read first and second time and referred to committees:

House Bill No. 16, introduced by Haight, Lott, Kruse, Ritch, Chapman and Ewing: A Bill for an Act entitled: "An Act providing that no deficiency judgments shall exist after foreclosure of mortgages executed for securing payment of unpaid balance on the purchase price of real property and defining the term foreclosure." Referred to Committee on Agriculture.

House Bill No. 17, introduced by O'Byrne, Neary, Spiegel, Ryan: A Bill for an Act entitled: "An Act to amend Section 3071 of the Revised Codes of Montana of 1921, relating to hours of labor for underground miners." Referred to Committee on Labor.

House Bill No. 18, introduced by Nutting: A Bill for an Act entitled: "An Act relating to the assessment of real property sold by any qualified agent of the State of Montana or any municipality or county thereof for taxation purposes." Referred to Committee on Revenue and Taxation."

The Speaker appointed Haight, Minette and Ahlgreen to invite the Senate in Joint Informal Session, to listen to an address on relief problems by Dr. Butler, State Relief Administrator.

It was moved by Byrne, duly seconded and carried, that the House recess until 1:30 P. M.

AFTERNOON SESSION

House resumed. Mr Speaker in the Chair.

NOTICES

Authors gave notice that they will, on tomorrow or some subsequent day introduce the following bills:

By White of Judith Basin: A Bill for an Act entitled: "An Act for a bill amending Section 45 of Chapter 46 of the Laws of the Special Session of Montana relative to beer licenses.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that House Bill No. 3 be taken from the Committee on Public Morals, Charities and Reforms and be re-referred to the Committee on State Boards and Officers.

It was moved by Byrne, duly seconded and carried unanimously, that the Speaker be permitted to appoint one additional member to the Committee on Labor.

It was moved by Byrne, duly seconded and carried unanimously that the Speaker be permitted to appoint two additional members to the Committee on Highways.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND
READING OF SAME

The following bill was introduced, read first and second times, and referred to the Committee on Constitutional Amendments.

House Bill No. 19, introduced by Stimatz: A Bill for an Act entitled: "An Act to provide for the submission to the qualified electors of the State of Montana of an amendment to the Constitution of the State of Montana by adding thereto an article to be known as Article XXII, providing for the payment of adjusted compensation to bona fide residents of the State of Montana who served on active duty in the army, navy or marine corps of the United States in the World War and to such of said persons who being citizens of the United States served in the naval, military or air forces of any of the governments associated with the United States during said war, and authorizing the incurring of an indebtedness; authorizing the issuing of bonds; providing for the levy of a tax."

The House met in Joint Informal Session to hear an address given by Dr. Butler, State Relief Administrator.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND
READING OF THE SAME

The following bill was introduced, read first and second time and referred to the Committee on Constitutional Amendments.

House Bill No. 20, introduced by Leavitt: A Bill for an Act entitled: "An Act for the submission to the qualified electors of the State of Montana, an amendment to Section 39 of Article 5 of the Constitution of the State of Montana, relative to the obligations and liabilities held or owned by the state or county or municipal corporation therein."

The Speaker appointed Stimatz of Silver Bow as the extra member on the Committee on Labor.

It was moved by Byrne, duly seconded and carried, that the House adjourn until 11:00 o'clock A. M., Wednesday, January 16, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

TENTH DAY

House of Representatives,
Helena, Montana, January 16, 1935.

House convened pursuant to adjournment at 11:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by Chaplain.

On roll call all members present.

Mr. Speaker: We, the Committee on Journal, having examined the Journal, for the ninth day, find the same to be correct.

CLYDE J. QUIGLEY, Chairman.

Without objection, report adopted.

NOTICES

Authors gave notice that they will, on tomorrow or some subsequent day introduce the following bills:

By Stevens: A Bill for an Act entitled: "An Act to provide for a minimum compensation for women employed in any occupation within the State of Montana and providing penalty for violation thereof."

By Haight and Burris: A Bill for an Act entitled: "An Act to submit to the electors of the State of Montana the question whether there shall be a convention to revise, alter or amend the Constitution of the State of Montana."

By Lovell: A Bill for an Act entitled: "An Act regulating the operation of certain games of chance, providing when the operation thereof shall be illegal, providing for the license fee thereof and the disposition thereof, and repealing all Acts and parts of Acts in conflict therewith."

By Haugan: A Bill for an Act entitled: "An Act to amend Sections 8276, 8277, 8278, 8279, and 8280 of the Revised Codes of Montana, 1921, relating to chattel mortgages, and providing for a central filing and reporting system, for chattel mortgages, and for the expiration of the lien of chattel mortgages as to all persons, and amending Section 145 of the Revised Codes of Montana, 1921, relating to the fees of the Secretary of State in connection therewith."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Boards and Officers, having under consideration House Bill No. 3, entitled: "An Act to repeal Section 18, Section 19, Section 20, Section 21, Section 22, Section 23, Section 24, Section 25, Section 26, Section 27 of Chapter 105 of the Session Laws of the Twenty-third Legislative Assembly, (1933), relating to permits for the purchase of liquor.

Respectfully report as follows: That House Bill No. 3 do pass.

GENE BURRIS, Chairman.

On motion of Burris, report adopted.

Mr. Speaker: We, your Committee on Employment, having had under consideration applicants for employment, beg to submit the following appointments:

ClerkGuy H. Dunn, Sydney C. Mann
MASTERTSON, Chairman.

On motion of Masterson, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Taxation: Having had under consideration the nomination of Sam D. Goza of Helena, Lewis and Clark County, Montana, to be a member of the State Board of Equalization, reported and recommended that the following resolution be adopted confirming the said nomination:

"BE IT RESOLVED, by the Senate of the Twenty-fourth Legislative Assembly of the State of Montana, that the nomination of His Excellency, the Governor of Montana, of Sam D. Goza of Helena, Lewis and Clark County, Montana, to be a member of the State Board of Equalization for a term of six years, beginning March 1, 1935, is hereby confirmed, and the said Sam D. Goza is appointed for said office and term."

Report was adopted, and on motion of Sparling, nomination was confirmed by a roll call vote.

Committee on Judiciary: That S. J. R. No. 3 do pass, report adopted.

Committee on Military Affairs: That S. J. R. No. 1 do pass, report adopted.

Committee on Employment: That the following persons be employed in the positions named:

Lucille Rohrig, Stenographer	Effective January 15
George Swertelle, Proofreader	Effective January 15

Report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time and referred to committees:

S. B. No. 3, by Clifford: A Bill for an Act entitled: : "An Act regulating the operation of railroads within the State of Montana, limiting the length of freight and passenger trains and providing penalties for the violation of this Act." Referred to Committee on Railroads and Transportation.

S. B. No. 4, by Simmons: A Bill for an Act entitled: "An Act relating to the closed season for deer and elk in Carbon County, State of Montana; providing for the powers and duties of the Montana State Fish and Game Commission relative to the provisions of this Act; making the violation of this Act a misdemeanor and providing a penalty for such violation, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Fish and Game.

S. B. No. 5, by Oliver: A Bill for an Act entitled: "An Act to amend Sections 1999 and 2000 of the Revised Codes of Montana of 1921 relating to the classification of taxable property." Referred to Committee on Taxation.

S. J. R. No. 4, by Employment Committee: A joint resolution fixing the compensation of all employees of the Senate and House of Representatives of the Twenty-fourth Legislative Assembly of Montana of 1935." Referred to Committee on Judiciary.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notice of introduction was this day received:

By Thien: A Bill for an Act entitled: "An Act to provide for the submission to the qualified electors of the State of Montana of an amendment to Article V of the Constitution of the State of Montana, by adding thereto a section to be known as Section 46, providing for a state budget and the manner in which appropriations shall be made by the Legislative Assembly."

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Hammond: A Bill for an Act entitled: "An Act to regulate the nomination and election of all county officers; abolishing certain existing methods in such cases and the use of part or political designations at elections to such offices; imposing certain duties upon the county officers having charge of election affairs and judges and clerks of election, and adapting the provisions of the laws as they now exist to the non-partisan election of county officers."

By Kelsey: A Bill for an Act entitled: "An Act to amend Chapter 160 of Part 3 of the Political Code of the Revised Codes of the State of Montana of 1921, relating to the assessment of property for taxation purposes, by the addition thereto of a new section to be known as Section 2013-A, and providing the method for fixing the valuation of all public utility property for taxation purposes."

By Holton and Oliver: A Bill for an Act entitled: "An emergency Act relating to taxation, providing for the payment in installments of taxes and assessments delinquent and unpaid on December 1, 1934, and repealing Chapter 45 of the Acts of the Extraordinary Session of the Twenty-third Legislative Assembly of Montana and all other Acts and parts of Acts in conflict herewith." (Replaces previous notice on this same subject.)

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee on Judiciary this day, having had under consideration S. J. R. No. 4, respectfully report and recommend that S. J. R. No. 4 do pass, report adopted.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time, and referred to committees:

S. B. No. 7, by Committee on Banks and Banking: A Bill for an Act entitled: "An Act to authorize corporations, banks, trust companies, investment companies, and other financial institutions approved as mortgagees to obtain insurance under the provisions of Title II of an Act of Congress entitled 'National Housing Act,' approved by the President on June 27, 1934, and any amendments thereto, now or hereafter made, to make such loans on real estate as are insured, or under a commitment made to insure, pursuant to Title II of said Act." Referred to Committee on Banks and Banking.

S. B. No. 6, by Committee on Banks and Banking: A Bill for an Act entitled: "An Act amending Sections 1 and 2, Chapter 5, Laws of Montana, Extraordinary Session, 1933-34, permitting any executor, administrator, guardian, or conservator, trustee or other fiduciary to invest funds eligible for investment in bond of the Home Owners' Loan Corporation; making obligations of national mortgage associations or similar credit institutions now or hereafter organized under Title III of the National Housing Act and bonds of the Home Owners' Loan Corporation eligible for investment purposes for any insurance company, building and loan association, bank, trust company, investment company, or other financial institution operating under the laws of this state; making such bonds security for all deposits of public funds or other obligations for which depository bonds or any kind of bonds or other securities are required; declaring an emergency." Referred to Committee on Banks and Banking.

S. B. No. 8, by Kelsey and Armstrong: A Bill for an Act entitled: "An Act to amend Chapter 160 of Part 3 of the Political Code of the Revised Codes of the State of Montana of 1921, relating to the assessment of property for taxation purposes, by the addition thereto of a new section to be known as Section 2013-A, and providing the method for fixing the valuation of all public utility property for taxation purposes." Referred to Committee on Taxation.

S. B. No. 9, by Meyer: A Bill for an Act entitled: "An Act to repeal Section 10761 of Chapter 5 of Part 1 of the Penal Code of the Revised Codes of Montana, 1921." Referred to Committee on Judiciary.

S. B. No. 10, by Meyer: A Bill for an Act entitled: "An Act to repeal Section 11177 of Chapter 33 of the Penal Code of the Revised Codes of Montana, 1921." Referred to Committee on Judiciary.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motion by Senators Holton and Oliver was this day made, seconded and carried:

"I move that it be the sense of the Senate that in addition to the copies of the December, 1934, payroll heretofore requested to be furnished the Senate by the Secretary of State, the State Auditor be directed to furnish the members of the Senate with copies of the December, 1934, payroll covering all state officials and employees of the State of Montana, in whatsoever department or capacity employed and to indicate thereon what increase or decrease in salaries have been made by the Board of Examiners during the preceding biennium and that this report be placed on the desks of the members of the Senate not later than January 20, 1935."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Groene, duly seconded and carried that a committee of five be appointed by the Speaker to investigate and report to this House upon the high price of gasoline in the State of Montana;

That this committee shall investigate the items that enter into the present high price of the commodity; and shall ascertain, if possible, if any of these items may be reduced or eliminated to the end that the price may be brought somewhere in line with the prices charged in adjoining states; that this committee, shall hold public hearings if desirable and shall, as soon as possible, report to this House its findings of fact thereon and

recommendations, if any, as to what steps this Legislative Assembly can take in order to bring about such a reduction of price.

It was moved by Byrne, duly seconded and carried, unanimously, that the Printing Committee be instructed and authorized to supply 700 copies of bills instead of 500.

It was moved by Byrne, duly seconded and carried, unanimously, that in all bills which are amendatory in their nature, the author thereof shall underline all new matter which he is seeking to introduce into the statute.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF SAME

The following were introduced, read first and second time and referred to committees; all appropriation bills being read first and second times at length:

House Bill No. 21, introduced by Parker: A Bill for an Act entitled: "An Act to amend Section 662 of the Revised Codes of Montana, 1921, as amended by Chapter Six of the Session Laws of 1933, and relating to County or City Central Committeemen, and their powers, and providing for two County Central Committeemen, one a man, and one a woman, for each county precinct, and two such State Central Committeemen, one a man, and one a woman, from each county, to read as follows: Referred to Committee on Privileges and Elections.

House Bill No. 22, introduced by York and Petersen of Sheridan: A Bill for an Act entitled: "An Act to amend Section 2231, Revised Codes, Montana, in relation to assessment and sale of real estate for taxes." Referred to Committee on Revenue and Taxation.

House Bill No. 23, introduced by B. C. White: A Bill for an Act entitled: "An Act to amend Section 45 of Chapter 46 of the Laws of the Extraordinary Session of the Twenty-third Legislative Assembly of the State of Montana in regard to beer licenses." Referred to Committee on Public Morals, Charities and Reforms.

House Bill No. 24, introduced by Peterson of Valley, Haight, and Hinnerman: A Bill for an Act entitled: "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section 5 of Article XVI of the Constitution of the State of Montana, as amended by Chapter 80 of the Laws, Resolutions, and Memorials of the State of Montana, passed by the Twenty-third Legislative Assembly in Regular Session, and approved by the vote of the qualified electors of the state at the General Election on November 6, 1934, by eliminating from said Section 5 of Article XVI of the said constitution the Office of County Superintendent of Schools." Referred to Committee on Constitutional Amendments.

House Bill No. 25, introduced by Paul Smith: A Bill for an Act entitled: "An Act to appropriate money for the payment of a certain deficiency claim against the State of Montana of Thomas Riis as compensation for services rendered by him as Custodian of the Montana State Fair Grounds and Buildings from the first day of January, 1933, to and including the first day of July, 1933." Referred to Committee on Appropriations.

House Bill No. 26, introduced by Haight: A Bill for an Act entitled: "An Act providing for the submission of an amendment to the Constitution of the State of Montana relating to the legislative authority thereof by amending Sections One, Two, Three, Four, Five, Six, Seven, Nine, Twelve, Sixteen, Nineteen, Twenty-one, Twenty-two, Twenty-four, Forty and Forty-five of Article V, and repealing Sections Eight, Ten, Eleven, Thirteen, Fourteen, Twenty-seven and Thirty-two of Article V and Sections

Two, Three, Four, Five and Six of Article VI of such constitution." Referred to Committee on Constitutional Amendments.

House Memorial No. 1, introduced by Mulholland: Entitled "A Memorial to the Congress of the United States relating to the Townsend Old Age Pension Act." Referred to Committee on Federal Relations.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed.

Mr. Speaker in the Chair.

Authors gave notice that they would on tomorrow or some subsequent day, introduce the following bills:

By Leary: A Bill for an Act entitled: "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section 4, Article XVI of the Constitution of the State of Montana relating to County Commissioners, providing for the division of counties into Commissioner Districts, providing for the election of one commissioner from each of said Commissioner Districts and providing that only the electors in said Commissioner Districts shall vote for such commissioner."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Agriculture, having had under consideration, House Bill No. 16, entitled: A Bill for an Act entitled: "An Act providing that no deficiency judgments shall exist after foreclosure of mortgages executed for securing payment of unpaid balance on the purchase price of real property and defining the term foreclosure." Respectfully report as follows: That House Bill No. 16 do pass.

CHAPMAN, Chairman.

On motion of Chapman, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

It was moved by Byrne, duly seconded and carried, that the messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee on Employment this day reported the selection of the following for the positions named, report adopted:

Ethel Langdorf, Committee Clerk	Effective January 15
Wm. Beaumont, Committee Clerk	Effective January 15

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time and referred to committees:

S. B. No. 11, by Clifford: A Bill for an Act entitled: "An Act amending Section 7597 R. C. M. 1921, relating to conditional sales contracts, and prohibiting the taking of deficiency judgments upon the repossession of property thereunder, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Judiciary.

S. B. No. 12, by Kilduff: A Bill for an Act entitled: "An Act to provide for the submission to the qualified electors of the State of Montana of an amendment to Article VI of the Constitution of the State of

Montana, relating to Senators and Senatorial Districts, by amending Section 4 and repealing Section 5 of such article." Referred to Committee on Judiciary.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction of bills were this day received:

By Meyer, Nass, Hammond, Putnam, Clifford, Angvick, Kalberg, Plumer, and Blankenbaker: A Bill for an Act entitled: "An Act providing for the amount of insurance to be paid upon the destruction of property by fire, tornado or lightning and fixing a method how the true value of the property insured shall be determined and defining what shall be considered a prima facie evidence of ownership of property and what may be set up as defense thereto."

By Meyer, Nass, Hammond, Putnam, Clifford, Angvick, Kalberg, Plumer and Blankenbaker: A Bill for an Act entitled: "An Act providing for the insurer of premises to make an examination of the premises insured, providing for a complete description of the property or premises insured and providing what shall not constitute a defense in case of loss to a suit upon said policy."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that House Bill No. 3, be considered correctly printed and placed on General Orders.

It was moved by Byrne, duly seconded and carried, that the House dissolve itself into a Committee of the Whole for consideration of General Orders.

CONSIDERATION OF GENERAL ORDERS

Manning in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration, House Bill No. 3, recommend the following:

That House Bill No. 3 do pass.

On motion of Manning, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that House Bill No. 3 be considered correctly printed and placed on Third Reading.

THIRD READING OF HOUSE BILLS

House Bill No. 3, introduced by Leavitt and Harlen: A Bill for an Act entitled: "An Act to repeal Section 18, Section 19, Section 20, Section 21, Section 22, Section 23, Section 24, Section 25, Section 26, Section 27, of Chapter 105 of the Session Laws of the Twenty-third Legislative Assembly, (1933), relating to permits for the purchase of liquor": having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Caldwell, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelley, Kruse, Kuhl, Lasby, Leary, Leavitt, Liggett, Lippard, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 100.

Noes: Nutting.

Absent and not voting: Lemmer.

Mr. Speaker: 100 have voted "aye", one has voted "no", House Bill No. 3 has passed the House.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following bills:

By Stromnes: A Bill for an Act entitled: "An Act providing for the creation of a separate Department of Labor and Industrial Relations, prescribing its powers and duties, etc., and amending Sections 3555, 3556, 3635, 3636, 3637, 2819, 2820, of the Revised Codes of Montana, 1921."

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

It was moved by Byrne, duly seconded and carried, that the messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee on Printing this day reported the following Senate Joint Resolutions correctly printed, report adopted.

S. J. R. No. 1.

S. J. R. No. 2.

S. J. R. No. 3.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day introduced, read first and second time and referred to Committee on Finance and Claims:

S. B. No. 13, by Thien: A Bill for an Act entitled: "An Act to provide for the submission to the qualified electors of the State of Montana of an amendment to Article V of the Constitution of the State of Montana, by adding thereto a section to be known as Section 46, providing for a State Budget and the manner in which appropriations shall be made by the Legislative Assembly."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded, that House Rule No. 9 be amended to permit the addition of two members to the Judiciary Committee and one member to the Committee on Constitutional Amendments.

It was moved by Byrne, duly seconded, that House Rule No. 33 be amended by adding at the end of paragraph 1 "All Bills shall be numbered at the head and foot of Page 1 thereof."

The above motions were referred to the Committee on Rules, Joint Rules and Order of Business.

The Speaker announced the appointment of the following committee:

Judiciary: Boone of Powell, Chairman; Groene of Fergus, Vice-Chairman, Foor of Roosevelt, Toomey of Lewis and Clark, Stromnes of Cascade, Worden of Missoula, Harwood of Yellowstone, Leavitt of Custer, Smith of Lewis and Clark, Hinerman of Valley, Burris of Deer Lodge, O'Byrne of Silver Bow, Kruse of Garfield, Lasby of Broadwater, Spiegel of Silver Bow, Emmons of Deer Lodge, Sherman of Meagher.

House Resolution No. 1 was introduced by the Committee on Public Utilities and State Commissions, relating to the request of the Twenty-fourth Legislative Assembly to the Montana Railroad Commission to stay, by appropriate procedure, the orders made by that body on December 31, 1934 and January 3, 1935.

It was moved by Ormsbee, duly seconded, that House Resolution No. 1 be adopted.

As a substitute motion, it was moved by Byrne, duly seconded and carried that House Resolution No. 1 be referred to the Committee on Judiciary.

It was moved by Byrne, duly seconded and carried, that the House adjourn until 11:00 o'clock A. M., Thursday, January 17th, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

ELEVENTH DAY

House of Representatives,
Helena, Montana, January 17th, 1935.

House convened, pursuant to adjournment, at 11:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present.

Mr. Speaker: We, the Committee on Journal, having examined the Journal, for the tenth day, find the same to be correct.

CLYDE J. QUIGLEY, Chairman.

Without objection, report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following bills:

By Spiegel, Ormsbee, Chamberlain, Holding: A Bill for an Act entitled: "An Act to amend Sections 2816, 2841, 2843 and 2911 of the Revised Codes of Montana of 1921, and to amend Section 2898 of the Revised Codes of Montana of 1921, as amended by Chapter 121 of the Session Laws of the Nineteenth Legislative Assembly of 1925; and to amend Section 2981 of the Revised Codes of Montana of 1921, as amended by Chapter 177 of the Session Laws of the Twenty-first Legislative Assembly of 1929; and to repeal Sections 2978, 2979, 2980, 2982, 2983, 2984, 2985,

1986, 1987, 1988 and 1989 of the Revised Codes of Montana of 1921; all relating to Workmen's Compensation: And to repeal all Acts and parts of Acts in conflict herewith, with certain reservations."

By Ecton: A Bill for an Act entitled: "An Act to amend Section 14 of Chapter 147, Acts of the Twentieth Legislative Assembly: 'An Act relating to School District bonds; granting boards of trustees of school districts of all classes the power to issue, negotiate and sell or exchange bonds for certain purposes under certain limitations and restrictions; providing the manner of holding bond elections and prescribing the qualifications of electors; prescribing the procedure covering the issuing, sale, or exchange of such bonds; providing for payment of the principal and interest of such bonds; prescribing the duties of Boards of School Trustees; Boards of County Commissioners, and County Treasurers in connection with the levying and collection of taxes for the payment of principal and interest of such bonds; and repealing Sections 1032, 1230, 1232 and Sections 1244 to 1251 inclusive, of the Revised Codes of Montana of 1921; repealing Sections 1224, 1225, 1226, 1228 and 1229 of the Revised Codes of Montana of 1921, as amended by Chapter 153 of the Laws of the Eighteenth Legislative Assembly; repealing the said Chapter 153, and all other Acts and parts of Acts in conflict with the provisions of this Act.'"

By Foor: A Bill for an Act entitled: "An Act to provide for a Farm Laborers' Lien and to provide for the filing and foreclosing of said Liens."

The following announcement was made:

"The Employment Committee wishes to announce that there will be a clerk on duty in the Employment Room, No. 420, from 9 to 11 o'clock A. M., daily, and respectfully requests that any member of the House having a complaint as to the inefficiency of any employee or being unable to secure the services of an employee, file his complaint which will be taken up by the Employment Committee.

MASTERSON, Chairman.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following were introduced, read first and second time and referred to committees:

House Bill No. 27, introduced by Haight and Burris: A Bill for an Act entitled: "An Act to submit to the electors of the State of Montana the question whether there shall be a convention to revise, alter or amend the Constitution of the State of Montana." Referred to Committee on Constitutional Amendments.

House Bill No. 28, introduced by Stromnes: A Bill for an Act entitled: "An Act providing for the creation of a separate Department of Labor and Industrial relations, prescribing its powers and duties, etc., and amending Sections 3555, 3556, 3635, 3636, 3637, 2819, 2820 of the Revised Codes of Montana, 1921." Referred to Committee on Labor.

House Bill No. 29, introduced by Stevens: A Bill for an Act entitled: "An Act to provide for a minimum compensation for women employed in any occupation within the State of Montana, excepting Housework, and providing penalty for violation thereof." Referred to Committee on Labor.

MOTIONS AND RESOLUTIONS

It was moved by Boone, duly seconded, that the Employment Committee be empowered to employ a clerk for the Judiciary Committee in addition to the attaches already employed.

On substitute motion, it was moved by Stromnes, duly seconded and carried, that the Employment Committee be authorized to designate a clerk for the Judiciary Committee and exercise their discretion as to

whether they should employ a new stenographer who is not now employed by the House.

It was moved by Monahan, duly seconded, that the Enrolling Committee be granted the same privilege as given the Judiciary in the previous motion. Motion was lost.

It was moved by Byrne, duly seconded and carried, that it be the sense of this Assembly that if the Employment Committee must employ additional help, that no help be hired unless a corresponding number be discharged from the payroll.

It was moved by Stromnes, duly seconded, that the Committee on Judiciary be enlarged to comprise nineteen members and that it be the sense of this House that the Speaker be authorized and directed to appoint Gray of Sweet Grass and Peterson of Gallatin on this committee.

The Speaker asked Mr. Rolph, Speaker Pro Tem to take the Chair.

Mr. Rolph in the Chair.

On substitute motion, it was moved by Fowler, duly seconded and carried, that the motion by Stromnes be indefinitely postponed.

Mr. Speaker in the Chair.

The Speaker appointed Groene of Fergus, Chairman; Gray of Sweet Grass, Vice-Chairman; Rolph of Liberty, Kruse of Garfield and Green of Dawson, as the Select Committee to investigate the high price of gasoline on motion made by Groene of Fergus, January 16th, 1935.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following bills:

By Gray: A Bill for an Act entitled: "An Act to amend Section 2899 Revised Codes of Montana, 1921, relating to the time for filing claims in case of personal injury to or death of employees."

By Gray: A Bill for an Act entitled: "An Act to amend Section 2933, Revised Codes of Montana, 1921, as amended by Section 7, Chapter 177, Session Laws of Montana, 1929, relating to notice of claims for compensation for injuries, other than death, to employee."

By Harlen: A Bill for an Act entitled: "An Act to amend Section 1253 of the Revised Codes of Montana, 1921, relative to the qualification of voters."

By Joffray: A Bill for an Act entitled: "An Act providing that all materials, goods, supplies, etc., purchased by the State of Montana for use in its institutions, boards, commissions, offices, etc., shall be the product of Union Labor and bear the Union Label of any organization affiliated with or recognized by the American Federation of Labor, and providing penalty for violation and not affecting Sections 260 and 261, Revised Codes of Montana, 1921."

By Stimatz: A Bill for an Act entitled: "An Act for the prevention of frauds in connection with the voting franchise; providing that all voters be photographed by the County Clerk and Recorder; providing a system of registering voters; making rules and regulations relative to such registration and relative to voting; providing for the arrest of persons violating the Act by the County Clerk and Recorder, election Judges and Clerks and for penalties."

REPORTS OF STANDING COMMITTEES

On January 14, 1935, a joint meeting of the Employment Committees of the Senate and House was held at which meeting it was agreed that owing to the increased work in the Post Office that one employee be hired jointly; the Senate paying half and the House paying half of his wages.

The name of William E. Soper is being recommended jointly for this position.

MASTERSON, Chairman.

On motion of Masterson, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR
AND THE SENATE

It was moved by Byrne, duly seconded and carried, that messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Employment: Recommend the following persons for the positions named:

Hazel McLaughlin to replace Velma Pomeroy, resigned, stenographer, effective January 17.

Lillian Grimes, typist, effective January 21.

Report adopted.

Minority of Committee on Agriculture recommend that the nomination of his Excellency, the Governor, of A. P. Bruce of Kalispell, Flathead County, Montana, to be Commissioner of Agriculture for the term ending April 1, 1937, be not confirmed.

Majority of Committee on Agriculture recommend that the nomination of his Excellency, the Governor, of A. P. Bruce of Kalispell, Flathead County, Montana, to be Commissioner of Agriculture for the term ending April 1, 1937, be confirmed.

On motion by Keeley, duly seconded and carried, the matter was referred to the Committee on Judiciary.

Respectfully,

C. J. McALLISTER.

Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time and referred to committees:

S. B. No. 14, by Meyer, Nass, Hammond, Putnam, Clifford, Angvick, Kalberg, Plumer, Blankenbaker: A Bill for an Act entitled: "An Act providing for the insurer of premises to make an examination of the premises insured, providing for a complete description of the property or premises insured and providing what shall not constitute a defense in case of loss to a suit upon said policy." Referred to Committee on Insurance.

S. B. No. 15, by Myer, Nass, Hammond, Putnam, Clifford, Angvick, Kalberg, Plumer, Blankenbaker: A Bill for an Act entitled: "An Act providing for the amount of insurance to be paid upon the destruction of property by fire, tornado or lightning and fixing a method how the true value of the property insured shall be determined and defining what shall be considered as prima facie evidence of ownership of the property and what may be set up as defense thereto." Referred to Committee on Insurance.

S. B. No. 16, by Nass, Benjamin and Blankenbaker: A Bill for an Act entitled: "An Act abolishing the Montana State Fair; providing for the disposal of all the property of said institution and repealing Sections 1580 to 1582 inclusive and Sections 3640 to 3644 inclusive, of R. C. M. 1921, and all other Acts and parts of Acts in conflict herewith." Referred to Committee on Fairs and Expositions.

S. B. No. 17, by Larson: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 71 of the Acts of the 18th Legislative Assembly of the State of Montana; relating to the collection of taxes and assessments levied for irrigation district, and drainage district purposes and requiring county treasurers to collect, receive and receipt for such irrigation district and drainage district taxes and assessments at the same time and upon the same receipt as taxes levied upon real property for county purposes." Referred to Committee on Irrigation and Water Rights.

S. B. No. 18, by Holton and Oliver: A Bill for an Act entitled: "An Emergency Act relating to taxation, providing for the payment in installments of taxes and assessments delinquent and unpaid on December 1, 1934, and repealing Chapter 45 of the Acts of the Extraordinary Session of the Twenty-third Legislative Assembly of Montana and all other Acts and parts of Acts in conflict herewith." Referred to Committee on Taxation.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 3 by Leavitt and Harlen, was this day introduced in the Senate, read first and second time, and referred to Committee on Public Morals.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 21, entitled: A Bill for an Act entitled: "An Act to amend Section 662 of the Revised Codes of Montana, 1921, as amended by Chapter 6 of the Session Laws of 1933, and relating to County or City Central Committeemen, and their powers, and providing for two County Central Committeemen, one a man and one a woman, for each County Precinct, and two such State Central Committeemen, one a man, and one a woman, from each county."; respectfully report as follows: That House Bill No. 21 do pass.

HAIGHT, Chairman.

On motion of Haight, report adopted.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following were introduced, read first and second time and referred to committees:

House Bill No. 30, introduced by Foor: A Bill for an Act entitled: "An Act to amend Sections 81 and 82 of Chapter 148 of Session Laws of 1931. An Act to establish a uniform code of laws relative to High Schools as a part of the Public School System of the State of Montana." Referred to Committee on Judiciary.

House Bill No. 31, introduced by Foor: A Bill for an Act entitled: "An Act to amend Section 8 of Chapter 178, Laws of 1933. Providing for

a Budget System for making and controlling estimates, expenditures and tax levies for District High School and County High School District Trustees and Boards of Trustees of County High Schools, Boards of School Budget Supervisors and County Boards and Officers in connection with the making of such budgets and such estimates, expenditures and tax levies." Referred to Committee on Education.

House Joint Memorial No. 3, introduced by Ahlgreen: A Memorial memorializing the President and Congress of the United States for a grant of land containing a hot water spring for the use and benefit of the State of Montana as an infantile paralysis sanatorium." Referred to Committee on State Institutions, Public Buildings and Grounds.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules, having had under consideration motion as follows: "That House Rule No. 9 be amended to permit the addition of two members to the Judiciary Committee and one member to the Committee on Constitutional Amendments."; respectfully report as follows: That the motion be adopted.

BYRNE, Chairman.

On motion of Byrne, reported adopted.

Mr. Speaker: We, your Committee on Rules, having had under consideration a motion as follows: "That House Rule No. 33 be amended by adding at the end of paragraph one the following: 'All bills shall be numbered at the head and foot of page one thereof'"; respectfully report as follows: That said motion be amended as follows: "That House Rule No. 33 be amended at the end of paragraph one, by adding the following: 'All bills which are amendatory in their nature shall have all new matter added thereto set out in italics.'"

BYRNE, Chairman.

On motion of Byrne, report adopted.

It was moved by Moss, duly seconded and carried, that the House adjourn until Friday, 11:00 o'clock A. M., January 18th, 1935.

W. P. PILGERAM,

Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

TWELFTH DAY

House of Representatives.
Helena, Montana, January 18, 1935.

House convened, pursuant to adjournment, at 11:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by Chaplain.

On roll call all members present except McLaughlin who was excused.

Mr. Speaker: We, the Committee on Journal, having examined the Journal for the 11th legislative day, find the same to be correct.

CLYDE J. QUIGLEY, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed: 4, 5, 3, 16.

JACK MCCAUSLAND, Chairman.

Without objection, report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following bills:

By Cusick and White of Judith Basin: A Bill for an Act entitled: "An Act to amend Sections, 8276, 8277, 8278, 8279 and 8280 of the Revised Codes of Montana, 1921, relating to chattel mortgages, and providing for a central filing and reporting system, for chattel mortgages, and for the expiration of the lien of chattel mortgages as to all persons, and amending Section 145 of the Revised Codes of Montana, 1921, relating to the fees of the Secretary of State in connection therewith."

By Peterson of Gallatin: A Bill for an Act entitled: "An Act to amend Section 1219 of the Revised Codes of Montana of 1921, as amended by Chapter 120, Acts of the Nineteenth Legislative Assembly and to amend Sections 1221 and 1222 Revised Codes of Montana of 1921, all relating to the voting of additional school levies for district school purposes."

By Gordon and Lippard: A Bill for an Act entitled: "An Act to amend Sections 557 and 566 and repealing Sections 567 and 571 Revised Codes of Montana, 1921, relating to the registration of electors."

By Gordon and Lippard: A Bill for an Act entitled: "An Act to amend Section 587 of the Revised Codes of Montana of 1921 as amended by Chapter 43 Acts of the Eighteenth Legislative Assembly and Sections 593 and 607 of the Revised Codes of Montana of 1921 and repealing Section 588, Revised Codes of Montana, 1921, relating to Judges and Clerks of Election and Notices of Election."

By Gordon and Lippard: A Bill for an Act entitled: "An Act to amend Section 689 Revised Codes of Montana, 1921, relating to the time for opening and closing all polls for election."

By Spiegel: A Bill for an Act entitled: "An Act to repeal Chapter 4, Part 1, of the Penal Code of the State of Montana of 1921, defining the crimes of, and fixing the punishment for: sedition, criminal syndicalism, sabotage, unlawful assemblages, and prohibiting the exhibition of the Red Flag or Emblem."

By Mulholland, Heavlin, Sexton, Goodwin, Connors, Monahan, Holding: A Bill for an Act entitled: "An Act regulating the hours of labor of drivers and attendants of motor busses in the State of Montana; defining the term "attendant" and fixing penalties for the violation of the provisions of this Act."

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

It was moved by Byrne, duly seconded and carried, that messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence:

S. J. R. No. 1.

S. J. R. No. 2.

S. J. R. No. 3.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that, on motion, duly seconded and carried, the following Senate Joint Resolutions were considered correctly engrossed and placed on Calendar for Third Reading:

S. J. R. No. 1.

S. J. R. No. 2.

S. J. R. No. 3.

Respectfully,

C. J. McALLISTER,

Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. J. R. No. 1 do pass.

That S. J. R. No. 2 be amended by striking out in line 13 the word, "unable", and inserting in lieu thereof the word, "able"; and as so amended, do pass.

That S. J. R. No. 3 do pass.

Report adopted.

Respectfully,

C. J. McALLISTER,

Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day introduced, read first and second time, and referred to Committee on Federal Relations:

S. B. No. 19, by Committee on Federal Relations: A Bill for an Act entitled: "An Act to amend Section 816 of the Revised Codes of Montana of 1921, as amended by Chapter Fifteen (15) of the Session Laws of 1933, relating to the time and place of meeting of Presidential Electors." Referred to Committee on Federal Relations.

Respectfully,

C. J. McALLISTER,

Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Wass: A Bill for an Act entitled: "An Act to amend Section (1) of Chapter Six (6) of the Session Laws of the Twenty-third Extraordinary Session 1933-34 relating to and authorizing any county, city, town or school district having an outstanding valid indebtedness in an amount in excess of fifty per centum (50%) of the total indebtedness which it may lawfully incur under the provisions of the Constitution of this state limiting the amount of indebtedness which may be incurred by counties, cities, towns and school districts, to refund its outstanding bonded indebtedness and providing the method and procedure therefor."

By Nass, Benjamin and Blankenbaker: A Bill for an Act entitled: "An Act abolishing the Montana State Fair; providing for the disposal of all the property of said institution and repealing Sections 1580 to 1582 inclusive, and Sections 3640 to 3644 inclusive, of R. C. M. 1921 and all other Acts and parts of Acts in conflict herewith."

Respectfully,

C. J. McALLISTER,

Secretary of the Senate.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND
READING OF THE SAME

The following were introduced, read first and second time and referred to committees:

House Bill No. 32, introduced by Gray: A Bill for an Act entitled: "An Act to amend Section 2933, Revised Codes of Montana, 1921, as amended by Section 7 of Chapter 177, Session Laws of Montana 1929, relating to Notice of Claims for compensation for injuries, other than death, to employee." Referred to Committee on Workmen's Compensation.

House Bill No. 33, introduced by Gray: A Bill for an Act entitled: "An Act to amend Section 2899, Revised Codes of Montana 1921, relating to the time for filing claims in case of Personal Injury to or Death of Employees." Referred to Committee on Workmen's Compensation.

House Bill No. 34, introduced by Ahlgreen: A Bill for an Act entitled: "An Act to amend Sections 2099, 2101, 2102, 2103, Montana Revised Codes of 1921, as amended, relating to Taxation of the Property of Freight Line Companies." Referred to Committee on Revenue and Taxation.

House Bill No. 35, introduced by Leary: A Bill for an Act entitled: "An Act providing for the Submission to the Qualified Electors of the State of Montana of an amendment to Section 4 of Article XVI of the Constitution of Montana; relating to County Commissioners and providing that only the electors residing in each Commissioner District shall vote for the Commissioner to be elected from that district." Referred to Committee on Constitutional Amendments.

House Bill No. 36, introduced by Foor: A Bill for an Act entitled: "An Act to provide for a Farm Laborers Lien and to provide for the filing and foreclosing of said liens." Referred to Committee on Judiciary.

House Bill No. 37, introduced by Joffray: A Bill for an Act entitled: "An Act providing that all materials, goods, supplies, etc., purchased by the State of Montana for use in its institutions, boards, commissions, offices, etc., shall be the product of Union Labor and bear the Union Label of any organization affiliated with or recognized by the American Federation of Labor, and providing penalty for violation and not affecting Sections 260 and 261, Revised Codes of Montana, 1921." Referred to Committee on Labor.

Senate Joint Resolution No. 1, introduced by Oliver: A Resolution memorializing the Congress of the United States for the passage of legislation providing for the immediate conversion into cash of the adjusted compensation certificate of the soldier of the World War." Referred to Committee on Military Affairs.

Senate Joint Resolution No. 2, introduced by Oliver, entitled: "A Resolution memorializing the Congress of the United States for the passage of legislation for the creation and establishment of a pension benefit to be paid to all persons over the age of sixty years. Referred to Committee on Federal Relations.

Senate Joint Resolution No. 3, introduced by Simmons and Thien, entitled: A joint resolution providing for the employment of additional help during the Twenty-fourth Legislative Session of the State of Montana. Referred to Committee on Judiciary.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

CONSIDERATION OF GENERAL ORDERS

Rolph in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 16 recommend the following:

That House Bill No. 16 do pass.

ROLPH, Chairman.

On motion by Rolph, report adopted.

The Speaker announced the appointment of the following committees:

Water Conservation and Flood Control: Manning, Treasure, Chairman; Cusick, Flathead, Vice-Chairman; Kathan, Pondera; Ewing, Wheatland; Balgord, Golden Valley; Nutting, Yellowstone; Liggett, Musselshell; Nelson, Petroleum; Gray, Sweet Grass; Harwood, Yellowstone; Scofield, Powder River; Petersen, Sheridan; Masterson, Custer; Metlen, Beaverhead; Kuhl, Carbon.

Waterways and Navigation: Moss, Flathead, Chairman; Heavlin, Missoula, Vice-Chairman; Kuhl, Carbon; Southmayd, Cascade; McCausland, Rosebud; Ritch, Fergus; Caldwell, Yellowstone; Hall, Carter; Green of Dawson.

Public Morals, Charities and Reforms: Monahan of Park, Chairman; Brennan of Richland, Vice-Chairman; Emmett of Carbon; Ewing of Wheatland; Hamilton of Sanders; Stevens of Cascade; Nutting of Yellowstone; O'Brien of Silver Bow; Egan of Fergus; McLaughlin of Ravalli, Foor of Roosevelt; White of Hill; Smith of Lewis and Clark; Sexton of Park; Ballard of Wibaux.

The following additions to committees were allowed by the committee on Rules, Joint Rules and Order of Business and were appointed by the Speaker.

The addition ordered by the Committee on Rules to the Committee on Constitutional Amendments will be: Haight of Fergus.

The additions to the Committee on Highways will be: Boone of Powell, Anderson of Phillips.

COMMUNICATIONS AND PETITIONS

The following was received from David Hilger, Librarian, and was read:

THE PAINTING BY CHARLES MARION RUSSELL IN THE
HOUSE OF REPRESENTATIVES

This painting by "Charlie" Russell, as all his old time friends called him, was painted some time after the completion of the capitol building wings in 1912. It was painted in his log cabin studio in Great Falls and had to be made four sections as the studio was too small to allow the whole canvas to be painted at one time. The picture was ordered by the State Board of Examiners which consisted of Governor E. L. Norris, Attorney General A. J. Galen and Secretary of State A. N. Yoder and the price paid was five thousand dollars. Some years ago George P. Porter, former State Auditor, and myself looked up the history of the payment and found two cancelled state warrants, one for \$2,000.00 dollars and the other for \$3,000.00, bearing the endorsement of Russell which showed that one artist was paid for his work.

The picture is entitled: "The First Meeting of Lewis and Clark with the Indians" and depicts that incident in the history of the famous expedition when the party as a whole met the Shoshone Indians with their

chief Cameahwait at Two Forks, near the present town of Armstead. The Two Forks being the union of the Beaverhead River with the Red Rock. It will be remembered that Captain Lewis with a party of three men went by land ahead of the boats to find the Indians so the party could secure horses with which to continue their journey overland to the Pacific coast, for they had come as far as was possible by boat. Lewis went westward through the Lemhi Pass and met the Shoshone Indians on the western side of the mountains. He had to use many persuasions to induce the Indians to return with him and meet the remainder of the party with Captain Clark. These Indians probably had never seen a white man before and were reluctant to accompany Lewis back across the mountains as they feared a trap of some sort. Lewis used all the arguments possible to convince them he meant no harm and offered his gun to the chief saying he could shoot him, Lewis, if he found he was not telling the truth. As further inducement he spoke of a woman of their own tribe who was with Clark's party, Sacajawea, and also described Clark's negro slave, York, a man black all over with short curly hair. This last point Lewis thought was the deciding one and they agreed to go with him but the water was low in the river and Clark was making slow progress to meet them and the Indians became apprehensive but the thought of actually seeing such a monster as York kept them going until they finally met Clark and the rest of the party on August 18, 1805. Here on that day took place the demonstration that Russell shows in the picture. To the right somewhat in the background you see the explorers, Lewis and Clark, with Sacajawea and her papoose beside them sitting in the grass. On the ground before them is spread a blanket, sign of a friendly parley. The Indians in the foreground provide the action and drama of the picture showing off their horses and riding somewhat in the fashion of a Wild West show but typical of the Indian nature which no one could paint better than Russell. He worked two years on the picture and Montana is fortunate in having such a splendid example of his work in this hall.

In the lobby of the House we have paintings of Montana history by the late E. S. Paxson of Missoula and in the law library mural paintings by R. E. De Camp of Helena, two of Montana's best known artists and like Russel, self taught.

DAVID HILGER, Librarian.

January 17, 1935.

MOTIONS AND RESOLUTIONS

It was moved by Stromnes, duly seconded, that it be the sense of the House that funds be provided by the proper committee so that each member of the House may have a mailing list of five. Motion was referred to the Committee on Rules, Joint Rules, and Order of Business.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following was introduced, read first and second time and referred to the Committee on Privileges and Elections.

House Bill No. 38, introduced by Stimatz: A Bill for an Act entitled: "An Act for the prevention of frauds in connection with the voting franchise, providing that all voters in counties where 10,000 or more voters are registered be photographed by the County Clerk and Recorder; providing a system of registering voters; enacting rules and regulations relative to such registration and relative to voting; providing for the arrest of persons violating the Act, by the County Clerk and Recorder, Election Judges, and Clerks, and for penalties."

It was moved by Byrne, duly seconded and carried that the House recess until 2:00 o'clock P. M.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following bills:

By Fowler: A Bill for an Act entitled: "An Act providing for the submission to the qualified electors to the State of Montana of an amendment to the Constitution of the State of Montana by adding a new Article thereto relating to the recall of all elective public officers of the State of Montana, providing the procedure for such recall and providing for the election of the successor to the office of any officer that should be so recalled."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration Senate Joint Resolution No. 1, relating to the immediate payment of adjusted compensation certificates to participants of the World War recommend that the House concur said resolution.

Signed: KELLY, Chairman.

On motion of Kelly, report adopted.

Mr. Speaker: We, your Committee on Employment, having had under consideration applicants for employment, beg to submit the following appointments:

Stenographers—Zura Gerdicia; Jean LeMere.

On motion of Masterson, report adopted.

Mr. Speaker: We, your Committee on Rules, having had under consideration a motion by Stromnes of Cascade that it be the sense of this House that funds be provided by the proper committee so that each member may have a mailing list of five.

Respectfully report as follows: That this motion do not pass.

BYRNE, Chairman.

On motion of Byrne, report adopted.

Mr. Speaker: We, your Committee on State Institutions, Public Buildings and Grounds, having had under consideration, House Memorial No. 3, entitled: "Memorializing the President and Congress of the United States for a Grant of Land Containing a Hot Water Spring for the use and benefit of the State of Montana, as an Infantile Paralysis Sanatorium."

Respectfully report as follows: That Memorial No. 3 do pass.

WILLIAM NEARY, Chairman.

On motion of Neary, report adopted.

Mr. Speaker: We, your committee on Judiciary, having had under consideration House Resolution No. 1; respectfully report as follows: That House Resolution No. 1 do not pass but that Substitute House Resolution No. 1, do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Masterson, duly seconded and carried, that the name of Leslie Whitten be removed from the pay-roll.

It was moved by Goodwin, duly seconded, that when the House adjourn, it adjourn to some suitable time Monday in order to allow the members, who desire to do so, to attend the Winter Carnival at Anaconda.

On substitute motion, it was moved by Stromnes, duly seconded and carried, that the Speaker be authorized to excuse any members of the

House who wish to attend the Winter Carnival at Anaconda. Whereupon motion by Goodwin was lost.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF THE SAME

Substitute House Resolution No. 1: Substitute for House Resolution No. 1, introduced by the Committee of Judiciary:

BE IT RESOLVED; That the Speaker of the House of Representatives appoint a committee of five, to investigate the administration of the Board of Railroad Commissioners for the past biennium, including all departments and divisions thereof, make their findings as a result thereof, and report back to the House of Representatives with recommendations in regard thereto; that the committee be and it is hereby given plenary power to subpoena witnesses and to require the attendance of any person or persons whose testimony may be material or proper and to issue subpoenas duces tecum and compel the production of any and all books, records, orders, tariffs, schedules and all other matters necessary to a complete investigation of the administration of the Board of Railroad Commissioners, and its ex-officio members. Referred to the Printing Committee.

House Resolution No. 2: Introduced by Southmayd, entitled: "Resolution relative to the giving of examinations to all typists and stenographers and relative to the discharging of all who can not pass such examinations and the employment of others in their places." Referred to Committee on Employment.

MOTIONS AND RESOLUTIONS

It was moved by Stromnes, duly seconded and carried, that the House reconsider action taken on his motion authorizing the Speaker to excuse members to attend the Winter Carnival at Anaconda.

Whereupon motion by Goodwin was put and lost.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Saturday morning at 11:00 o'clock A. M., January 19, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

THIRTEENTH DAY

House of Representatives,
Helena, Montana, January 19, 1935.

House convened, pursuant to adjournment, at 11:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present except the following who were excused: Goodwin and Caldwell.

Mr. Speaker: We, the Committee on Journal, having examined the Journal, for the twelfth day, find the same to be correct.

CYLDE J. QUIGLEY, Chairman.

Without objection, report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day, introduce the following bills:

By Conner: A Bill for an Act entitled: "An Act to amend Section 5003, of the Revised Codes of Montana of 1921, relating to elections of cities and towns and terms of office."

By Rolph, Stevens, McLaughlin, Holding, Kathan, Ahlgreen, Chamberlain, Foor, Ormsbee: A Bill for an Act entitled: "An Act making it mandatory upon the State Highway Commission to perform all Highway Construction work within the State of Montana directly under the supervision of the Highway Commission by employing all labor on a 'day labor basis,' and providing further that the Highway Commission shall furnish all equipment and materials for the performance of said work and providing penalty and forfeiture for failure to carry out the provisions of this Act."

By Committee on Judiciary: A Bill for an Act entitled: "An Act to provide for the continuation of the codification of the Revised Codes of Montana of 1935 and appropriating money therefor."

By Committee on Public Health and Sanitation: A Bill for an Act entitled: "An Act to amend Section 3144 and to amend Section 3149 as amended by Chapter 129 of Session Laws of 1933 and Section 3153 of the Revised Codes of Montana of 1921, relative to the definition of Chiropractic, renewal and the penalty for violation of Act."

By Parker: A Bill for an Act entitled: "An Act to amend Section 3 of Chapter 12 of the Session Laws of the Twenty-third Legislative Assembly, 1933."

By Stevens: A Bill for an Act entitled: "An Act providing license fees for all stores, service stations, and retail establishments, providing the method of collecting such fees, and providing for the use of the income derived therefrom."

By Stimatz: A Bill for an Act entitled: "An Act providing for the slander of woman; defining and prescribing penalties for the violation thereof."

By Joffray: A Bill for an Act entitled: "An Act to require a bond from employers of labor in mining operations to guarantee the payment of wages."

By Haight: A Bill for an Act entitled: "An Act to amend Section 7726 of the Revised Codes of Montana of 1921, relative to the maximum rate of interest."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Joint Resolution No. 3, respectfully report as follows: That Senate Joint Resolution No. 3 be concurred in.

BOONE, Chairman.

On motion by Boone, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills as correctly engrossed: House Bill No. 16.

EWING, Chairman.

Without objection, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

It was moved by Byrne, duly seconded and carried, that the messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Employment: Recommend the following person for the position named:

I. W. Choate, law clerk, effective January 14.

Majority of Committee on Judiciary: Recommend that S. B. No. 1 be amended by striking out in line 25, page 1, the words, 'law making bodies' and inserting in lieu thereof the words, 'legislative assembly,' and as so amended, do pass, report adopted.

Majority of Committee on Judiciary: Recommend that S. B. No. 9 be amended by adding to the title thereof after the figures "1921" the words, "relating to furnishing money for electors," and by inserting the words and figure, "Section 1" immediately before the word, "that" of paragraph one and the word and figure, "Section 2" immediately before the word "all" of paragraph two and the word and figure, "Section 3" immediately before the word "this" of paragraph 3, and as so amended, recommend S. B. No. 9 do not pass, report adopted.

Majority of Committee on Judiciary recommend that S. B. No. 10 be amended by adding to the title thereof after the figures "1921" the words "relating to leaser of buildings used for gambling purposes treated as principal" and by inserting the word and figure, "Section 1" immediately before the word "that" of paragraph one and the word and figure "Section 2" immediately before the word "all" of paragraph two and the word and figure "Section 3" immediately before the word "this" of paragraph 3 and as so amended recommend that S. B. No. 10 do not pass, report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notice of introduction was this day received:

By Carroll, by request: A Bill for an Act entitled: "An Act to repeal Chapter 157 of the Session Laws of the Twenty-third Assembly."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bill No. 20 was this day introduced by Wass, being a Bill for an Act entitled: "An Act to amend Section 1 of Chapter Six (6) of the Session Laws of the Twenty-third Extraordinary Session 1933-34 relating to and authorizing any county, city, town or school district having an outstanding indebtedness in an amount in excess of fifty per centum (50%) of the total indebtedness which it may lawfully incur under the provisions of the Constitution of this state limiting the amount of indebtedness which may be incurred by counties, cities, towns and school districts, to refund its outstanding bonded indebtedness and providing the method and procedure therefor." Referred to Committee on Counties and Towns.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motion by Sparling was this day made, seconded and carried:

"I move that the Committee on Judiciary be discharged from further consideration of the question of the confirmation of the appointment of A. P. Bruce, for Commissioner of Agriculture, and that it be returned forthwith to the Senate."

Upon further motion by Sparling, the nomination of His Excellency, the Governor, of A. P. Bruce of Kalispell, Flathead County, Montana, for Commissioner of Agriculture for the term ending April 1, 1937, was confirmed on roll call.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF SAME

The following bills were introduced, read first and second time and referred to committees:

House Bill No. 39, introduced by Cusick: A Bill for an Act entitled: "An Act to amend Sections 8276, 8277, 8278, 8279, and 8280 of the Revised Codes of Montana, 1921, relating to chattel mortgages, and providing for a central filing and reporting system, for chattel mortgages and for the expiration of the lien of chattel mortgages as to all persons, and amending Section 145 of the Revised Codes of Montana, 1921, relating to the fees of the Secretary of State in connection therewith." Referred to Committee on State Boards and Officers.

House Bill No. 40, introduced by Cusick: A Bill for an Act entitled: "An Act to amend Section 8289, Revised Codes of Montana, 1921, relating to acknowledgments of satisfaction of chattel mortgages: Providing for the filing thereof in the Office of the Secretary of State." Referred to Committee on State Boards and Officers.

House Bill No. 41, introduced by Harlen: A Bill for an Act entitled: "An Act to amend Section 1253, of the Revised Codes, of Montana, of 1921, relating to qualifications of voters." Referred to Committee on Economy.

THIRD READING OF HOUSE BILLS

House Bill No. 16, introduced by Haight, Lott, Kruse, Ritch, Chapman, and Ewing, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Acher, Ahlgreen, Balgord, Ballard, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Floor, Fowler, Gordon, Green (Dawson), Groene (Fergus), Haight, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Liggett, Lippard, Lott, Lovell, McCausland, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 91.

Noes: Gray, Hall, Metlen, Stromnes. Total 4.

Absent and not voting: Anderson, Bertsche, Caldwell, Goodwin, McLaughlin, Lemmer, Moss. Total 7.

Mr. Speaker: Ninety-one have voted "aye", four have voted "no", House Bill No. 16 has passed the House.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

CONSIDERATION OF GENERAL ORDERS

Kruse in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole having had under consideration Senate Joint Resolution No. 1, House Bill No. 21 and Senate Joint Resolution No. 3, recommend the following:

That Senate Joint Resolution No. 1 be amended by striking out in line 16 of the printed bill the words "and adequately" and as amended be concurred in. That House Bill No. 21 be passed for the day. That Senate Joint Resolution No. 3 be concurred in.

KRUSE, Chairman.

On motion of Kruse, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Leavitt, duly seconded and carried, that House Bill No. 21 be taken from General Orders and re-referred to the Committee on Privileges and Elections.

It was moved by Groene of Fergus, duly seconded and carried, that the special committee appointed to investigate the high price of gasoline be permitted to hold a public hearing in the House Chamber, Friday, night, January 25th.

The Speaker appointed the special committee authorized by the substitute resolution which was adopted January 18th, on motion which was sent in by the Committee on Judiciary to investigate alleged irregularities in the Railroad Commission: Emmons, Chairman; Foor, Vice-Chairman; Ormsbee, Ahlgreen, O'Byrne.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Monday, 2:00 P. M., January 21, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FIFTEENTH DAY

House of Representatives,
Helena, Montana, January 21, 1935.

House convened, pursuant to adjournment, at 2:00 o'clock P. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present except the following who were excused: Joffray and Lemmer, Caldwell and Anderson.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the thirteenth legislative day, find the same to be correct.

CLYDE J. QUIGLEY, Chairman.

Without objection, report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day, introduce the following bills:

By Stimatz: A Bill for an Act entitled: "An Act providing for a limitation of the hours of labor of all men employed in all industries; relating to minimum wages of the men so employed; establishing a labor board and defining the salary, powers, duties, and for the dismissal of the same; declaring an emergency, and providing penalties."

By Masterson: A Bill for an Act entitled: "An Act to amend Sections 1999 and 2000 of the Revised Codes of Montana of 1921, relating to the classification of taxable property."

By Holding: A Bill for an Act entitled: "An Act to amend Section 5714, Revised Codes, Montana, 1921, relating to marriage license and defining refusal of same, and providing for certificates of health for applicants, its contents, and who shall execute same."

By Leavitt: A Bill for an Act entitled: "An Act relating to irrigation districts: Empowering boards of commissioners of such districts to supervise, regulate and control the apportionment and distribution of water through the distribution system of such districts; providing for the installation of lock boxes, head gates or other devices for the distribution of water through laterals at the expense of the lands served thereby; prohibiting interference with the control of water by boards of commissioners; defining certain terms used in this Act; providing penalties for the violation of this Act and repealing Chapter 119 of the Acts of the Twenty-third Legislative Assembly of Montana of 1933, and all other Acts and parts of Acts in conflict herewith."

By Gray: A Bill for an Act entitled: "An Act to amend Section 2819, Revised Codes, Montana, 1921, relating to the Industrial Accident Board and defining its membership."

By Toomey: A Bill for an Act entitled: "An Act concerning declaratory judgments and decrees, providing the procedure with reference thereto, and to make uniform the laws relating thereto."

By Toomey: A Bill for an Act entitled: "An Act relating to machine guns and their association with crimes of violence as herein defined, providing presumptions respecting the presence or possession of machine guns, for registration of the same, and providing for search warrants in connection with machine guns, and to make uniform the law with reference thereto."

By Committee on Horticulture, by request. Kuhl, Chairman: A Bill for an Act entitled: "An Act to amend Section 2, paragraphs a, b and c of Section 4 and Section 15 of Chapter 164 of the Montana Session Laws of 1933 relating to wholesale dealers in agricultural products."

By Committee on Horticulture, by request. Kuhl, Chairman: A Bill for an Act entitled: "An Act to regulate advertising of agricultural products, providing for grade to be quoted in advertisements and providing for a penalty for violation thereof; and repealing all laws in conflict herewith."

By Committee on Horticulture, by request. Kuhl, Chairman: A Bill for an Act entitled: "An Act to amend paragraphs (D) and (G) of Section 1 of Chapter 138 of the Twenty-second Legislative Assembly as amended by Chapter 1 of the Twenty-third Legislative Assembly; to amend Section 3 of Chapter 138 of the Twenty-second Legislative Assembly; and to amend Section 6 of Chapter 138 of the Twenty-second Legislative Assembly; all relating to fixing standard grades of apples."

By Burris and O'Brien: A Bill for an Act entitled: "An Act relating to and providing for the purchasing of materials and supplies manufactured or produced in Montana to be used in public works and providing for the giving of a differential of five per cent to persons, corporations or concerns who manufacture or produce such materials and supplies in the State of Montana."

By Harlen: A Bill for an Act entitled: "An Act providing for the refunding of money expended by any individual in the purchase of a liquor permit from the Montana Liquor Control Board for 1935."

By Nelson: A Bill for an Act entitled: "An Act to require all counties to quiet title to all land acquired by tax sale."

By Groene of Fergus: A Bill for an Act entitled: "An Act to amend Chapter 57 of the Laws of the Twentieth Legislative Assembly of the State of Montana for the year 1927, relating to the powers, duties and limitations of building and loan associations, by adding a new Section 48A to provide the terms upon which certain building and loan associations may be permitted to resume business."

By Burris: A Bill for an Act entitled: "An Act to amend Section 182 of the Revised Codes of the State of Montana, 1921, as amended by Chapter 180 of the Session Laws of the Twenty-first Legislative Assembly, 1929, relating to the depositing of funds in the hands of the State Treasurer; and providing for the security to be delivered by the banks designated as depositories by the State Depository Board."

By Brennan and Egan: A Bill for an Act entitled: "An Act relative to the establishing of a state owned bank; to provide capital for the same; to set up a system of management; prescribe limitations and general provisions therefor."

By Acher: A Bill for an Act entitled: "An Act granting the non-resident owners and operators of motor vehicles the privilege of using the highways of the State of Montana and its political subdivision and providing for the appointment by such non-resident users of such highways of the Secretary of State as attorney in fact for such non-resident for service of all lawful process in any action or proceeding against such non-resident growing out of any accident, collision, or liability in which such non-resident may be involved while operating motor vehicles upon such highways."

By Stromnes: A Bill for an Act entitled: "An Act amending Section 10376 of the Revised Codes of Montana of 1921, relating to the powers of Clerks of the District Courts to issue notices, orders, and hold hearings in probate and guardianship matters and providing for the modification or setting aside of any notices or orders so made."

By Leavitt: A Bill for an Act entitled: "An Act providing for alternate jurors in any civil or felony case the trial of which is likely to be a protracted one, providing the method of drawing said jurors and specifying their duties and repealing all Acts and parts of Acts in conflict herewith."

By Leavitt: A Bill for an Act entitled: "An Act providing for the recount of the votes cast at any general or special elections, or at any municipal election, by the Board of County Canvassers pursuant to an order therefor, upon application made to the District Court, or to a Judge thereof, by any person who by the statement of the result of the canvass of the election returns by the Board of County Canvassers is found not to have received the highest number of votes for the office for which said person was a candidate at such election; providing for the correction of the official canvass by the said Board of County Canvassers to conform to such recount; for the cancellation of the certificate of election issued by the County Clerk if it should be found by such recount that the person to whom the certificate had theretofore been issued did not receive the highest number of votes for said office; for the issuance of a certificate of election to the successful candidate as disclosed by said recount; and repealing all Acts or parts of Acts, in conflict herewith."

MOTIONS AND RESOLUTIONS

It was moved by Groene, duly seconded and carried, that House Joint Resolution No. 1, heretofore referred to the Appropriations Committee, be returned by that Committee to the House so that he may be permitted to withdraw the resolution.

It was moved by Groene, duly seconded, that the following Resolution be adopted:

House Resolution No. 3, introduced by Groene of Fergus.

Mr. Speaker: Whereas, at the regular session of the Twenty-third Legislative Assembly of the State of Montana it was ascertained by a Joint Committee of the Senate and the House that there were outstanding against the State of Montana registered warrants unpaid for lack of funds in an amount approximating four and one-half million dollars; and, whereas, said legislative assembly adopted the report and recommendation of said Joint Committee and enacted a law whereby this outstanding floating indebtedness could be refinanced by a bond issue, which action was taken with the distinct understanding that the state go on a cash basis effective January 1, 1933; and, whereas, it now appears that the state has again spent more money than it collected, and that there are now almost two million dollars of registered warrants outstanding, creating another emergency which this legislative assembly must face; and, whereas, it appears that some of the state departments will not, or cannot, live within the amounts collected and properly applicable to the several departments, which condition is intolerable to the people of the state; and, whereas, throughout the state the tax burden upon real property has assumed such proportions that it is intolerable, that people are unable to meet the high burden of taxes upon real property, and that thousands have already lost, and more will lose, their homes because of inability to meet the tax load; and, whereas, the people of the state demand a radical reduction in real estate taxes; and, whereas, new revenues must be raised for relief and other purposes; and, whereas, there is a growing and insistent demand for a practical and adequate old age pension, and a growing and insistent demand for some reasonable exemption from taxes of homes and personal effects; and, whereas, it is proper and practical that before any new tax burdens are laid upon the people of this state that this Legislative Assembly should be properly and fully informed as to fundamental conditions; and, whereas, it should be possible to lay a simple foundation whereon a definite plan can be predicated for a radical reduction of real property taxes, and making some practical and adequate old age pension law effective, and to do the other things that the people of state demand, and of right are entitled to; and, whereas, for many years new taxes have been added without thought or concern as to a general or practical system in this state; and, whereas, various and sundry ideas have been promulgated throughout the state with reference to various plans to bring about some of the remedies desired by the people; and, whereas, this is the fifteenth legislative day and haste is imperative in order that this body may be properly and intelligently informed.

Now, Therefore, Mr. Speaker, I move you that four special committees be appointed by the Speaker of the House, each consisting of five members, said committees to have the following functions, duties and responsibilities:

1. Committee No. 1 shall be designated as a committee to investigate State Government finances.

Committee No. 2 shall be designed as a committee to investigate the University and School System finances.

Committee No. 3 shall be designated as a committee to investigate County and School District finances.

Committee No. 4 shall be designated as a committee on Revenues to replace real property taxes.

2. Committee No. 1 shall be required to investigate and ascertain the following facts in connection with the operation of the government of the State of Montana:

(a) To recommend the minimum expense with which the government of the state can be operated with due regard for efficiency and the welfare of the people.

(b) Is it possible, with due regard to efficiency and the welfare of the people, to reduce the expenses of operation as at present conducted?

(c) Are there any boards, departments, officers or employees which in the interest of the people of the state, may be eliminated; and recommendations, if any, as to possible and practical consolidations of departments.

(d) What practical recommendations can be made with reference to a reduction in the size of the Senate and House of Representatives.

3. Committee No. 2 shall be required to investigate and ascertain the following facts in connection with the University and School System of the state:

(a) To recommend the minimum expense with which the State University can be maintained with due regard for efficiency and the welfare of the people, taking into consideration the small population of the state and the financial situation of its people.

(b) Is it possible, with due regard to efficiency and the welfare of the people, to reduce the expenses of operation as at present conducted?

(c) Are there any boards, departments, officers or employees which in the interest of the people of the state may be eliminated; and recommendations, if any, as to possible and practical consolidation of departments.

4. Committee No. 3 shall be required to investigate and ascertain the following facts in connection with County and School District finances:

(a) Is it possible, with due regard to efficiency and the welfare of the people, to reduce the expense of County Government and School District Government in the state? and recommendations, if any.

(b) Are there boards, departments, officers or employees which, in the interest of the people of the state may be eliminated and recommendations, if any, as to possible and practical consolidation of departments?

5. Committee No. 4 shall be required to investigate and ascertain the following facts in connection with new revenues to replace real property taxes:

(a) What is the situation throughout the state with reference to delinquent taxes and real property acquired by the county through tax deed?

(b) Estimated amount of loss to the state through exemption of homes and personal effects from taxation; and suggestions as to replacement thereof.

(c) An estimate of how much money must be raised through new taxes in order to radically reduce taxes upon real property.

(d) Recommendations as to the most practical plan to replace on the tax rolls the vast area of real property taken over on tax deeds and now exempt from taxation.

(e) A survey of the possibilities of new revenues which may be used to replace real property taxes.

(f) The amount necessary to make our present old age pension law practical and adequate and recommendations as to where this money can be obtained.

6. These committees shall immediately organize and shall report to the House from time to time, but final reports shall all be in not later than the Thirty-eighth Legislative day. If either of such committees shall require funds to accomplish the objects of this resolution, it shall make appropriate request therefor to the House when its needs are ascertained.

7. Each committee shall have full power to subpoena witnesses and require the production of all necessary evidence before it for its consideration; and shall be accorded all the facilities of the House and its employees therein.
8. The express purpose of the investigation contemplated herein shall be: A radical reduction in real property taxes, to which end it is necessary.
 - (a) To reduce all expense of government, and,
 - (b) To replace real property taxes with new revenues.

GROENE of Fergus.

On substitute motion, it was moved by Fowler, duly seconded, that the resolution be referred by the Speaker to the proper committee for amendments.

It was moved by Haight, duly seconded and carried, that the substitute motion by Fowler be amended to state that the committee to which the resolution was referred be instructed to report it out within twenty-four hours. Whereupon motion by Fowler was carried as amended.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF THE SAME

The following bills were introduced, read first and second time and referred to committees; all appropriation bills having been read at length:

House Bill No. 42, introduced by Spiegel: A Bill for an Act entitled: "An Act to repeal Sections 10737, 10738, 10739, 10740, 10741, 10742, 10743, 10744, 10745 and 10746 of the Revised Codes of Montana of 1921, relating to the crimes of sedition, criminal syndicalism, and prohibiting carrying, displaying or exhibiting any Red Flag as a symbol." Referred to Committee on Labor.

House Bill No. 43, introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act to provide for the continuation of the Codification of the Revised Codes of Montana of 1935 and appropriating money therefor." Referred to Committee on Appropriations.

House Bill No. 44, introduced by Parker: A Bill for an Act entitled: "An Act to amend Section 3 of Chapter 12 of the Session Laws of the Twenty-third Legislative Assembly, 1933. Referred to Committee on Judiciary.

House Bill No. 45, introduced by Stimatz: A Bill for an Act entitled: "An Act providing for the slander of woman; defining and prescribing penalties for the violation thereof." Referred to Committee on Public Morals, Charities and Reforms.

House Bill No. 46, introduced by O'Connor: A Bill for an Act entitled: "An Act to amend Section 5003, of the Revised Codes of Montana of 1921, relating to electors of cities and towns and terms of office." Referred to Committee on Affairs of Cities.

House Bill No. 47, introduced by Gordon and Lippard: A Bill for an Act entitled: "An Act to amend Section 689 Revised Codes of Montana, 1921, relating to the time for opening and closing of polls for election." Referred to Committee on Privileges and Elections.

House Bill No. 48, introduced by Gordon and Lippard: A Bill for an Act entitled: "An Act to amend Section 587 of the Revised Codes of Montana of 1921 as amended by Chapter 43 Acts of the Eighteenth Legislative Assembly and Sections 593 and 607 of the Revised Codes of Montana of 1921 and repealing Section 588, Revised Codes of Montana, 1921, relating to judges and clerks of election and notices of election." Referred to Committee on Privileges and Elections.

House Bill No. 49, introduced by Gordon and Lippard: A Bill for an Act entitled: "An Act to amend Sections 557 and 566 and repealing Sections 567 and 571 Revised Codes of Montana, 1921, relating to the registration of electors." Referred to Committee on Privileges and Elections.

House Bill No. 50, introduced by Cusick: A Bill for an Act entitled: "An Act to amend Section 1536 of the Revised Codes of Montana of 1921, as amended by Section 2 of Chapter 126 of the 19th Legislative Assembly; relating to the admission of wives and widows of soldiers and sailors to the Soldier's Home." Referred to Committee on State Institutions.

House Bill No. 51, introduced by Joffray: A Bill for an Act entitled: "An Act to require a bond from employers of labor in mining operations to guarantee the payment of wages." Referred to Committee on Mines and Mining.

The Speaker referred House Resolution No. 3 to the Committee on Appropriations with instructions to report same out within 24 hours.

THIRD READING OF SENATE BILLS

Senate Joint Resolution No. 1, introduced by Oliver, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Groene (Fergus), Hamilton, Harlen, Harwood, Heavlin, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Levitt, Liggett, Lippard, Lott, Lovell, McLaughlin, Manning, Masterson, Miller (Roosevelt), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 84.

Noes: Byrne, Green (Dawson), Haight, Hall, Haugan, Hedden, McCausland, Miller (Big Horn), Nutting, Scofield, Sexton, White (Judith Basin). Total 12.

Absent and not voting: Anderson, Caldwell, Lemmer, Metlen, Nelson, Strommes. Total 6.

The Speaker: Eighty-four have voted "aye"; twelve have voted "no."

Senate Joint Resolution No. 1 has been concurred in by the House.

It was moved by Byrne, duly seconded and carried, that Third Reading of Senate Joint Resolution No. 3 be passed for the day.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF THE SAME

The following bill was introduced, read first and second time and referred to the committee on Revenue and Taxation:

House Bill No. 52, introduced by Lovell and Groene: A Bill for an Act entitled: "An Act to regulate the operation of certain games of chance; to provide when the operation thereof shall be illegal; to provide for a license fee therefor and the disposition thereof; and to repeal all Acts and parts of Acts in conflict therewith."

It was moved by Byrne, duly seconded and carried, that the House adjourn until Tuesday, 11:00 o'clock A. M., January 22nd, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

SIXTEENTH DAY

House of Representatives,
Helena, Montana, January 22, 1935.

House convened pursuant to adjournment, 11:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present except the following who were excused: Caldwell, Metlen, Ritch, Stromnes and Toomey.

Mr. Speaker: We, the Committee on Journal, having examined the Journal, for the 15th legislative day, find the same to be correct.

CLYDE J. QUIGLEY, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed: Sub. H. B. No. 1 and H. J. M. No. 3.

JACK McCausland, Chairman.

Without objection, report adopted.

NOTICES

Authors gave notice, that they would on tomorrow or some subsequent day introduce the following bills:

By Committee on Public Health and Sanitation: A Bill for an Act entitled: "An Act establishing the State Board of Dental Examiners of the State of Montana and specifying the qualifications, terms of office and compensation, and providing for the appointment of the members of the board, prescribing the powers and duties of said board, specifying the qualifications of applicants for licenses to practice dentistry and dental hygiene within the State of Montana providing for the examination of such applicants and the fees to be paid by them, the issuance of licenses to successful applicants, defining and regulating the practice of dentistry within the State of Montana, prohibiting the practice of dentistry without a license and providing penalties for the violation of this Act, defining and prohibiting unprofessional conduct of dentists and specifying the grounds and procedure for the revocation of licenses, and further prescribing penalties for the violation of this Act in such particulars and repealing Sections 3105, 3106, 3107, 3108, 3109, 3110, 3111, 3112, 3113, 3114 and 3115 Revised Codes Montana, 1921, being Chapter 222, Part III, Political Code of the State of Montana, and all Acts and parts of Acts in conflict herewith."

By Foote: A Bill for an Act entitled: "An Act to amend Subdivision 3 of Section 8 of Chapter 65, Session Laws of 1923, relating to an Act to establish a tax on direct and collateral inheritances, bequests and devises; to provide for its assessment and collection; directing the dispositions of the proceeds thereof. All Acts and parts of Acts in conflict herewith are hereby repealed."

By Ritch: A Bill for an Act entitled: "An Act appropriating money for the payment of claim of Andy Briscoe as compensation or as a pension, and for an artificial limb and expenses incident to fitting artificial limb, due to injuries received while on duty in the service of the State of Montana as a private in the Service Company, 163rd Infantry, Montana National Guard."

By Groene of Fergus: A Bill for an Act entitled: "An Act to amend Section 4462 of the Revised Codes of Montana, 1921, as amended by Chapter 35 of the Laws of the Twenty-first Legislative Assembly of the State of Montana for 1929, relating to time of regular meetings and extra sessions of Boards of County Commissioners."

By Stimatz: A Bill for an Act entitled: "An Act relative to the conduct of the judges and clerks of elections, making certain Acts by the same a felony and providing penalties."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Resolution No. 3; respectfully report as follows: That House Resolution No. 3 be amended as follows: On page 2 all of line eight after the words "entitled to" be stricken out;

On page 2 that line nine be stricken out and that that part of line ten appearing before the words "and whereas" be stricken out;

On page 2 that from line twenty-two the words "and school" be stricken out;

On page 2 that in line twenty-four after the word "investigate" the word "city" be added.

On page 3, line eight, the words "and school" be stricken out.

On page 3, line 18 the word "city" be added after the word "with."

That on page 4, line six there be added to section (e) the following: "and the effect on revenue if an exemption of a reasonable amount of personal property and an exemption of \$2500 or \$3000 should be placed on the homes occupied by their owners."

That upon page 4 there be added a new section, to be numbered Section 6, to read as follows: "That in the selection of these committees by the Speaker he give due consideration to the fact that many of the duties of the committees herein set forth come naturally under the supervision of regular standing committees of the House and that the chairmen of these committees be consulted to the end that committees shall be selected whose work will synchronize and assist the work of the regular committees dealing with these particular subjects."

That on page 4, line 11 after the period after the word "day", there be added the following: "That if, upon submission to the House of the final report of any of these committees on the thirty-eighth day, the committee is unable, because of time for study or opportunity for adequate investigation to arrive at proper conclusions, that the said committee shall set forth these facts and shall recommend to the House the advisability or inadvisability of continuing the said investigations during the interim, with a view to reporting the findings to the next legislative assembly. That Sections 6, 7 and 8 be renumbered accordingly and that the resolution, as amended, do pass.

COMMITTEE ON APPROPRIATIONS, FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 23, entitled: "An Act to amend Section 45 of Chapter 46 of the Laws of the Extraordinary Session of the Twenty-third Legislative Assembly of the State of Montana in regard to beer licenses." Respectfully report as follows: That House Bill No. 23 be re-referred to the committee on Revenue and Taxation.

MONAHAN, Chairman.

On motion of Monahan, report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 8, entitled: "An Act to amend Section 562 of the Revised Codes of Montana, 1921, relating to qualifications

of registered voters and repealing all Acts and parts of Acts in conflict therewith."

Respectfully report as follows: That House Bill No. 8 do not pass.

HAIGHT, Chairman.

On motion of Haight, report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration, House Bill No. 21 entitled: A Bill for an Act entitled: "An Act to amend Section 662 of the Revised Codes of Montana, 1921, as amended by Chapter Six of the Session Laws of 1933, and relating to County or City Central Committeemen, and their powers, and providing for two County Central Committeemen, one a man, and one a woman, for each county precinct and two such State Central Committeemen, one a man, and one a woman, from each county."

Respectfully report as follows: That House Bill No. 21 be amended as follows: Amend line 6 of the printed bill by striking out the word "which" and substituting the word "whom"; amend line 7 by substituting the word "whom" for the word "which."

Amend line 32 in each of the two places where the word "which" occurs by substituting the word "whom."

Amend line 33 by striking out the comma after the word "committee" and substituting a period therefor.

Amend line 33 by striking out the words "and said committee" and substituting therefor the words "the State Central Committee and the Congressional Committee"; and as amended do pass.

HAIGHT, Chairman.

On motion of Haight, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

It was moved by Byrne, duly seconded and carried, that messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee on Federal Relations this day, having had under consideration S. B. No. 19, respectfully report and recommend that said bill do pass, report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee on Banks and Banking this day, having had under consideration S. B. No. 7, respectfully report and recommend that said bill do pass, report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time, and referred to committees:

S. B. No. 21, by Carroll, by request: A Bill for an Act entitled: "An Act to repeal Chapter 157 of the Session Laws of the Twenty-third Assembly, relating to licensing gasoline dealers engaged in business in the State of Montana." Referred to Committee on Oil and Leases.

S. B. No. 22, by Carroll and Garrison: A Bill for an Act entitled: "An Act to provide for state insurance of public buildings and contents; to

provide for the valuation thereof; to provide for the duties of public officers in connection therewith; to provide for the levying of assessment permiums, for the investment of the insurance fund, and for the payment of losses; to prevent any other manner of insuring public porperty; and to provide penalties for the violation of this Act." Committee on Insurance.

S. B. No. 23, by Committee on Banks and Banking: A Bill for an Act entitled: "An Act to amend Section 20 of Chapter 89 of the laws of the Twentieth Legislative Session of the State of Montana, as amended by Section 2 of Chapter 145 of the Twenty-second Legislative Assembly of the State of Montana; relating to the dissolution and disincorporation of state banks." Committee on Banks and Banking.

S. B. No. 24, by Hammond and Kalberg: A Bill for an Act entitled: "An Act to regulate the nomination and election of all county officers enumerated in Section 4725 R. C. M. 1921; providing for a primary ballot and a general election ballot without party designation for the nomination and election of all such officers; providing the form of nominating petitions for the offices aforesaid; designating the form and arrangement of ballots to be used at said elections; adopting the provisions of existing primary and general election laws to the elections provided for in this Act, and repealing all Acts and parts of Acts in conflict herewith." Committee on Elections and Privileges.

S. B. No. 25, by Shannon: A Bill for an Act entitled: "An Act legalizing and validating all elections heretofore held in any city or town of this state, authorizing the creation or increase of the indebtedness of such city or town within or exceeding three per centum of the total assessed valuation of the taxable property of said city or town; as ascertained by the last assessment for state and county purposes, for any of the purposes set forth in Subdivision 64, Section 5039, Revised Codes of Montana, 1921, as amended, and Section 1, Chapter 160, Session Laws of Montana, 1931, which elections were held after notice published and posted, as provided in Section 5279, or Section 8, Chapter 160, of the Session Laws of Montana of 1931, at which the proposal to create or increase said indebtedness received a majority of all votes tendered and of all votes cast at such election." Committee on Taxation.

S. B. No. 26, by Cotter, Eaton, Sparling, Campbell, Clifford, Hollenback: A Bill for an Act entitled: "An Act creating the Montana Highway Patrol Commission, designating the members thereof, providing for the selection, qualification and duties of a Chief Patrol Officer and Patrolmen; defining certain offenses on the highways as menaces to the public health and safety, and fixing penalties for the infraction thereof; providing for state drivers' licenses; creating a Highway Patrol Revolving Fund from licenses and fines. Deeming this Act an emergency Act and repealing all Acts and parts of Acts in conflict herewith." Committee on Roads and Highways.

S. B. No. 27, by Clifford: A Bill for an Act entitled: "An Act requiring all railroad engines and locomotives to be equipped with a rear pilot and rear head light; providing penatlies for the violation of this Act, and repealing all Acts and parts of Acts in conflict herewith." Committee on Railroads and Transportation.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bill was this day introduced in the Senate, read first and second time, and referred:

House Bill No. 16, by Haight, Lott, Kruse, Ritch, Chapman and Ewing: Referred to Committee on Judiciary.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Blankenbaker: A Bill for an Act entitled: "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section 5 of Article XVI of the Constitution of Montana, relating to county officers; providing for the election of certain officers; extending the term of office of certain officers and providing for the filling of vacancies."

By Meyer: A Bill for an Act entitled: "An Act to repeal Chapter 12 of the Regular Session of the Twenty-third Legislative Assembly defining nepotism, and to prevent such practice in the State of Montana and prescribing the penalty thereof."

By Ekegren and Arnold: A Bill for an Act entitled: "An Act relating to the preservation of chattel mortgages and authorizing the destruction of mortgages by the County Clerk and Recorder after the lapse of the time designated in this Act."

By Shannon: A Bill for an Act entitled: "An Act legalizing and validating all elections heretofore held in any city or town of this state, authorizing the creation or increase of the indebtedness of such city or town within or exceeding three per centum of the total assessed valuation of the taxable property of said city or town, as ascertained by the last assessment for state and county purposes, for any of the purposes set forth in Subdivision 64, Section 5039, Revised Codes of Montana, 1921, as amended, and Section 1, Chapter 160 Session Laws of Montana, 1921, which elections were held after notice published and posted, as provided in Section 5279, or Section 8, Chapter 160, of the Session Laws of Montana of 1931, at which the proposal to create or increase said indebtedness received a majority of all votes tendered and of all votes cast at such election."

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notice of introduction was this day received:

By Benjamin, and Nass: A Bill for an Act entitled: "An Act to be known and designated as the State Homestead Law; authorizing the sale and disposal by counties of county lands to natural persons willing to undertake the payment of taxes thereon for a period of ten (10) years, providing for the making of contracts to carry out the terms of this Act and repealing all Acts and parts of Acts in conflict herewith."

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that House Resolution No. 3 be considered correctly printed and placed on General Orders.

It was moved by O'Connor, duly seconded and carried, that House Bill No. 46 be taken from the Committee on Affairs of Cities and referred to the Committee on Privileges and Elections.

HOUSE RESOLUTION NO 4

Introduced by Fowler

Mr. Speaker: Whereas it is highly desirable that the regular session of the Twenty-third Legislative Assembly of the State of Montana be fully apprised of all the facts, conditions and circumstances in connection with the administration of the State Liquor Control Act by the State

Liquor Control Board of the State of Montana, to the end that fitting legislation may be enacted by the Legislative Assembly,

THEREFORE, BE IT RESOLVED: That a special committee of five (5) be appointed by the Speaker to investigate the State Liquor Control Board to ascertain whether or not this department is being properly conducted, whether or not the accounts and affairs of the said board are in proper form, whether or not there are any irregularities, bad practices or unbusinesslike methods in use which should be corrected by amendment of the present liquor control act, and to make such recommendations as the committee, upon thorough investigation, shall deem fitting and proper. That the committee shall immediately organize and report to the House not later than the thirty-eighth legislative day; that if the said committee shall require funds to accomplish the business of this resolution it shall make appropriate request therefor to the House, when its needs are ascertained; that the said committee shall have full power to subpoena witnesses and require the production of all necessary evidence before it for its consideration and shall be accorded all the facilities of the House and its employees therein.

On motion by Fowler, duly seconded and carried, House Resolution No. 4 was adopted.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following bills were introduced, read first and second time and referred to committees; all appropriation bills having been read at length:

House Bill No. 53, introduced by Committee on Horticulture; Kuhl, Chairman: A Bill for an Act entitled: "An Act to regulate advertising of agricultural products; providing for grade to be quoted in advertisements and providing for a penalty for violation thereof; and repealing all laws in conflict herewith." Referred to Committee on Horticulture.

House Bill No. 54, introduced by Committee on Horticulture; Kuhl, Chairman: A Bill for an Act entitled: "An Act to amend Section 2, paragraphs a, b, and c of Section 4 and Section 18 of Chapter 164 of the Montana Session Laws of 1933 relating to wholesale dealers in agricultural products." Referred to Committee on Horticulture.

House Bill No. 55, introduced by Committee on Horticulture; Kuhl, Chairman: A Bill for an Act entitled: "An Act to amend paragraphs (D) and (G) of Section I of Chapter 138 of the Twenty-second Legislative Assembly as amended by Chapter I of the Twenty-third Legislative Assembly; to amend Section 3 of Chapter 138 of the Twenty-second Legislative Assembly; and to amend Section 6 of Chapter 138 of the Twenty-second Legislative Assembly; all relating to fixing standard grades of apples." Referred to Committee on Horticulture.

House Bill No. 56, introduced by Gray: A Bill for an Act entitled: "An Act to amend Section 2819, Revised Codes of Montana, 1921, relating to the Industrial Accident Board and defining its membership." Referred to Committee on Workmen's Compensation.

House Bill No. 57, introduced by Harlen: A Bill for an Act entitled: "An Act providing for the refunding of money expended by any individual in the purchase of a liquor permit from the Montana Liquor Control Board for 1935." Referred to Committee on Appropriations.

House Bill No. 58, introduced by Nelson: A Bill for an Act entitled: "An Act to require all counties to quiet title to all land acquired by tax sale." Referred to Committee on Townships and Counties.

House Bill No. 59, introduced by Stimatz: A Bill for an Act entitled: "An Act providing for a limitation of the hours of labor of all men em-

ployed in all industries; relating to minimum wages of the men so employed; establishing a Labor Board and defining the salary, powers, duties, and for the dismissal of the same; declaring an emergency, and providing penalties." Referred to Committee on Labor.

House Bill No. 60, introduced by Groene: A Bill for an Act entitled: "An Act to amend Chapter 57 of the laws of the Twentieth Legislative Assembly of the State of Montana for the year 1927, relating to the powers, duties and limitations of building and loan associations, by adding a new section thereto to be numbered Section 48a to provide the terms upon which certain building and loan associations may be permitted to resume business." Referred to Committee on Banks and Banking.

House Bill No. 61, introduced by Stromnes: A Bill for an Act entitled: "An Act amending Section 10376 of the Revised Codes of Montana of 1921, relating to the powers of Clerks of the District Courts to issue notices, orders and hold hearings in probate and guardianship matters and providing for the modification or setting aside of any notices or orders so made." Referred to Committee on Judiciary.

House Bill No. 62, introduced by Leavitt: A Bill for an Act entitled: "An Act providing for alternate jurors in any civil or felony case the trial of which is likely to be a protracted one, providing the method of drawing said jurors and specifying their duties and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Judiciary.

THIRD READING OF SENATE BILLS

Senate Joint Resolution No. 3, introduced by Simmons and Thien, having been read three several times title and history agreed to, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Ecton, Egan, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Groene (Fergus), Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lott, McLoughlin, Manning, Masterson, Miller (Roosevelt), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Watson, Whaley, Worden, York, Mr. Speaker. Total 86.

Noes: Green (Dawson), Haight, Kelly, Lippard, Lovell, McCausland, Miller (Big Horn), White (Hill). Total 8.

Absent and not voting: Caldwell, Doe, Emmett, Metlen, Ritch, Stromnes, Toomey, White (Judith Basin). Total 8.

The Speaker: 86 have voted "aye", 8 have voted "no"; Senate Joint Resolution No. 3 has passed the House.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

CONSIDERATION OF GENERAL ORDERS

Ecton of Gallatin in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That House Joint Memorial No. 3 do pass.

That House Resolution No. 3 be adopted.

ECTON, Chairman.

On motion of Ecton, report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following bills:

By Southmayd, Lemmer and Stevens: A Bill for an Act entitled: "An Act to amend Section 4932 of the Revised Codes of the State of Montana, 1921, to allow constables salaries in certain townships."

It was moved by Byrne, duly seconded and carried, that the House recess until 12:00 o'clock P. M.

AFTERNOON SESSION

House resumed.

Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following bills:

By Southmayd and Bertsche: A Bill for an Act entitled: "An Act to amend Chapter 59 of the Montana Session Laws of 1933, relating to the fees of County Coroners."

By Ryan and Mulholland: A Bill for an Act entitled: "An Act to amend Section 2000, Revised Codes of Montana, 1921, relating to basis for imposition of taxes."

By Anderson and Quigley: A Bill for an Act entitled: "An Act to amend Section 1002 of Revised Codes of Montana, 1921, relative to the qualifications of electors at school elections."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules, Joint Rules and Order of Business, having had under consideration a motion as follows: "That Joint Rule No. 23 be amended to read as follows: Transmission of bills: No bills transmitted by the House to the Senate, nor by the Senate to the House after the fiftieth day of the Session and no amendments transmitted by the House to the Senate, nor by the Senate to the House, after the fifty-eighth day of the Session, shall be considered, with the exception of bills considered by a Joint Conference Committee. Bills from said committees may be transmitted at any time up to and including the sixtieth day," respectfully report as follows: That the motion be adopted.

BYRNE, Chairman.

On motion of Byrne, report adopted.

Mr. Speaker: We, your Committee on Employment, having had under consideration House Resolution No. 2, entitled: "Resolution relative to the giving of examinations to all typists and stenographers and relative to the discharge of all who cannot pass such examinations and the employment of others in their places," respectfully report as follows: That Resolution No. 2 be referred to the House without recommendation.

MASTERSON, Chairman.

On motion of Masterson, report adopted.

It was moved by Byrne, duly seconded and carried, that the above Resolution No. 2 by Southmayd be referred to the Committee on Economy.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND
READING OF SAME

The following bills were introduced, read first and second time and referred to committees:

House Bill No. 63, introduced by Haight and Stevens: A Bill for an Act entitled: "An Act to amend Section 7726 of the Revised Codes of

Montana of 1921, relative to the maximum rate of interest." Referred to Committee on Judiciary.

House Bill No. 64, introduced by Burris: A Bill for an Act entitled: "An Act to amend Section 182 of the Revised Codes of the State of Montana, 1921, as amended by Chapter 180 of the Session Laws of the Twenty-first Legislative Assembly, 1929, relating to the depositing of funds in the hands of the State Treasurer; and providing for the security to be delivered by the banks designated as depositories by the State Depository Board." Referred to Committees on Banks and Banking.

House Bill No. 65, introduced by Peterson of Gallatin: A Bill for an Act entitled: "An Act to amend Section 1219 of the Revised Codes of Montana of 1921, as amended by Chapter 120, Acts of the Nineteenth Legislative Assembly and to amend Sections 1221 and 1222 Revised Codes of Montana of 1921, all relating to the voting of additional school levies for district school purposes." Referred to Committee on Education.

House Bill No. 66, introduced by Holding: A Bill for an Act entitled: "An Act to amend Section 5714, Revised Codes of Montana, 1921, relating to marriage license and defining refusal of same; and providing for certificates of health for applicants; its contents, and who shall execute same." Referred to Committee on Public Health and Sanitary Affairs.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 38, entitled: A Bill for an Act entitled: "An Act for the prevention of frauds in connection with the voting franchise, providing that all voters in counties where 10,000 or more voters are registered be photographed by the County Clerk and Recorder; providing a system of registering voters; enacting rules and regulations relative to such registration and relative to voting; providing for the arrest of persons violating the Act, by the County Clerk and Recorder, election judges, and clerks, and for penalties," respectfully report as follows: That House Bill No. 38 do not pass.

HAIGHT, Chairman.

It was moved by Haight, duly seconded that the report be adopted. As a substitute motion by Byrne, duly seconded and carried, it was moved that House Bill No. 38 be considered correctly printed and placed on General Orders.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 47, entitled: A Bill for an Act entitled: "An Act to amend Section 689 Revised Codes of Montana, 1921, relating to the time for opening and closing all polls for election," respectfully report as follows: That House Bill No. 47 do pass.

HAIGHT, Chairman.

On motion of Haight, report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration, House Bill No. 48 entitled: A Bill for an Act entitled: "An Act to amend Section 587 of the Revised Codes of Montana of 1921, as amended by Chapter 43, Acts of the Eighteenth Legislative Assembly and Sections 593 and 607 of the Revised Codes of Montana of 1921 and repealing Section 588, Revised Codes of Montana of 1921, relating to judges and clerks of election and notices of election," respectfully report as follows: That House Bill No. 48 do pass.

HAIGHT, Chairman.

On motion of Haight, report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following bills:

By Padbury, Ewing, Balgord, Doe, O'Connor, Southmayd, Lasby: A Bill for an Act entitled: "An Act to protect trademark owners, distributors

and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a distinguished trade-mark, brand or name."

House recessed at 2:30.

House resumed at 3:30 P. M. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following bills:

By Neary and Mitchell: A Bill for an Act entitled: "An Act prohibiting the charging and collecting of any tuition, enrollment, registration, matriculation or other fees, deposits, charges or extraction from students who are residents of the State of Montana, for attending the State University at Missoula, the College of Agriculture and Mechanic Arts at Bozeman, the School of Mines at Butte and the Normal College at Dillon, Billings and Havre, and prescribing certain exceptions."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration, House Bill No. 11, entitled: A Bill for an Act entitled: "An Act to regulate the nomination and election of all judges of court of the state: Abolishing certain existing methods in such cases and the use of party or political designations at elections to such offices: imposing certain duties upon the Secretary of State and county officers having charge of election affairs and judges and clerks of election, and adapting the provisions of the laws as they now exist to the non-partisan election of judges of courts of the state."

Respectfully report as follows: That House Bill No. 11 be amended as follows: By striking from Section 9 that portion beginning with the word "provided" in line 15 down to and including the word "election" in line 24, and as amended do pass.

HAIGHT, Chairman.

On motion of Haight, report adopted.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Wednesday, at 11:00 o'clock A. M., January 23, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

SEVENTEENTH DAY

House of Representatives,
Helena, Montana, January 23rd, 1935.

House convened, pursuant to adjournment, at 11:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by Chaplain.

On roll call, all members present except the following who were excused: Caldwell, Joffray, and Ritch.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the sixteenth legislative day, find the same to be correct.

CLYDE J. QUIGLEY, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Joint Memorial No. 3.

EWING, Chairman.

Without objection, report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following bills:

By Spiegel: A Bill for an Act entitled: "An Act to amend the Judicial Code; defining the jurisdiction and authority of courts of equity as to restraining orders or injunctions in cases arising out of labor disputes; defining 'public policy'; declaring an undertaking or promise in conflict with public policy to be unenforceable; allowing no injunctions to be issued to prohibit persons doing certain Acts in labor disputes; allowing no injunction to be issued except after hearing in open court on mode of procedure; providing for a person charged with contempt and method of procedure; defining certain words and phrases arising in the Act; and repealing all Acts and parts of Acts in conflict therewith."

By Southmayd, Bertsche, Lemmer, by request: A Bill for an Act entitled: "An Act to amend Sections 2 and 5 of Chapter 120 of the Session Laws of the Twenty-first Legislative Assembly of the State of Montana, defining the qualifications of police officers in cities and towns in the State of Montana, providing for the creation of police reserves and specifying salary limitations thereon."

By E. J. Stromnes: A Bill for an Act entitled: "An Act to eliminate reckless and irresponsible drivers from the highways; providing for suspension of operators' and chauffeurs' licenses for certain offenses and conditions of renewal thereof and making it a duty of the Clerk of the Court, or the court where it has no clerk to forward a certified copy or transcript of judgment or order in the matter of certain offenses against safety; making the Registrar of Motor Vehicles the attorney of non-residents operating personally or by authorized agent any motor vehicles in Montana upon whom may be served all lawful processes and providing how service upon him may be made; defining proof of ability to respond in damages as required by this Act as certificates by insurance carrier of issuance of motor vehicle liability policy of insurance, the bond of certain surety companies or individual sureties holding real estate in Montana or deposit of money or collateral with State Treasurer, and providing certain regulations for carriers of insurance against loss from legal liability and time of notice and manner of cancellation or expiration of any motor vehicle liability policy or surety bond; providing that such money or collateral shall be held to satisfy execution issued against person on judgment for damages arising out of ownership, maintenance, use or operation of motor vehicle and procedure to realize upon same; requiring registrar to furnish certified abstracts of operating records of any person subject to the provisions of this Act; also information pertaining to evidence of ability of operators or owners of motor vehicles to respond in damages; requiring any owner or operator of motor vehicle, in event of breaches of certain duties herein imposed, to return his operator's license, certificate of registration and number plates to the registrar upon the latter's request and making it a misdemeanor to wilfully fail to do so and fixing the penalty therefor; fixing the terms and conditions upon which the registrar shall cancel such bond or return such proof of insurance or the Treasurer shall return such money or collateral; forbidding transfer of certificates of registration or re-registration of certain motor vehicles in another's name to defeat purposes of this Act; making this Act non-applicable to certain automobile insurance against liability; providing penalty and punishment for forging, or without authority, signing any evidence of ability to respond in damages as required hereunder; defining "Motor Vehicle Liability Policy" as used herein, and requiring certain provisions to be therein contained and the filing, before issuance, of a copy of the form thereof, except in certain cases, with the Commissioner of Insurance for his approval or disapproval, and requiring the latter to specify in writing his reasons for not approving any form of policy, and further setting forth certain provisions every such motor vehicle liability policy shall be subject to, whether or not therein contained; defining the

meaning of certain other words used herein and providing that the registrar shall make rules and regulations necessary for administration of Act."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Economy, having had under consideration House Bill No. 41, entitled: "An Act to amend Section 1253 of the Revised Codes of Montana of 1921, relating to the qualifications of voters," respectfully report as follows: That House Bill No. 41 do not pass.

RYAN, Chairman.

On motion of Ryan, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 30, entitled: "An Act to amend Sections 81 and 82 of Chapter 148 of Session Laws of 1931. An Act to establish a uniform code of laws relative to high schools as a part of the public school system of the State of Montana," respectfully report as follows: That House Bill No. 30 be re-referred to the Committee on Education.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Joint Resolution No. 2, entitled: "A Resolution relative to limiting the time of the Twenty-fourth Legislative Assembly," respectfully report as follows: That House Joint Resolution No. 2 be not adopted.

BOONE, Chairman.

On motion of Boone, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

It was moved by Byrne, duly seconded and carried, that messages from the Senate be considered read at length and that the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Printing: Reported S. B. No. 1 correctly printed, report adopted.

Committee on Employment: Recommend the following for the positions named:

Alvin Young, clerk, effective January 19.

Delos Carver, clerk, effective January 22.

Thelma Dineen, stenographer, effective January 22.

Report adopted.

Committee on Counties and Towns: That S. B. No. 20 do pass, report adopted.

Committee on Fish and Game: That S. B. No. 4 do pass, report adopted.

Committee on Judiciary: That S. B. No. 12 be re-referred to the Committee on Constitutional Amendments, report adopted.

Committee on Irrigation and Water Rights: That S. B. No. 17 do pass, report adopted.

Committee on Judiciary: That H. B. No. 16 be amended in line 10, Section 1, being line 1 of Section 1, by striking out the word, "after," and

inserting in lieu thereof the word "upon," and as so amended, recommend said H. B. No. 16 be concurred in, report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee on Banks and Banking this day, having had under consideration S. B. No. 23, respectfully report and recommend said S. B. No. 23 do pass, report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time, and referred to committees:

S. B. No. 28, by Ekegren and Arnold: A Bill for an Act entitled: "An Act relating to the preservation of chattel mortgages and authorizing the destruction of mortgages by the County Clerk and Recorder after the lapse of the time designated in this Act." Referred to Committee on Judiciary.

S. B. No. 29, by Benjamin and Nass: A Bill for an Act entitled: "An Act to be known and designated as the State Homestead Law; authorizing the sale and disposal by counties of county lands to natural persons willing to undertake the payment of taxes thereon for a period of ten (10) years, providing for the making of contracts to carry out the terms of this Act and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Taxation.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Kelsey: A Bill for an Act entitled: "An Act to amend Section 853, Revised Codes of Montana, 1921, relating to the Greater University of Montana."

By Kelsey: A Bill for an Act entitled: "An Act to define the powers and duties of the State Board of Equalization with reference to reviewing and enforcing the laws of Montana relating to the taxation of mines and the imposition of taxes on mines and license taxes on the business of mining, and requiring the said board to review reports under said laws filed since and including the year 1925, and to correct the same where any errors or mistakes have been made and to collect any additional taxes due by reason of such corrections, abolishing all statutes limiting the power of the board in the premises as to time and all statutes or limitation or other statutes restricting or impeding the collection of such taxes or the bringing or the prosecution of suits to collect the same."

By Kelsey: A Bill for an Act entitled: "An Act to amend Sections 3 and 6 of Initiative Measure No. 28, commonly called the Metal Mines License Tax Law, by amplifying the definition and computation of gross value of product as therein defined and other terms of said section so as to remove any difficulties in the administration of said law and so as to prevent evasion thereof."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notice of introduction was this day received:

By Garrison: A Bill for an Act entitled: "An Act providing for the refunding to grazing districts, of all moneys collected from same under the provisions of the Taylor Grazing Act by the Federal Government and allotted to the different states, and further providing that such funds shall be used for range improvement only."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Boone, duly seconded and carried, that the Committee on Judiciary be granted an extension of time of ten days to consider House Bill No. 10.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following bills were introduced, read first and second time and referred to committees; all appropriation measures having been read at length:

House Bill No. 67, introduced by Neary and Mitchell: A Bill for an Act entitled: "An Act prohibiting the charging and collecting of any tuition, enrollment, registration, matriculation or other fees, deposits, charges or exactions from students who are residents of the State of Montana, for attending the State University at Missoula, the College of Agriculture and Mechanic Arts at Bozeman, the School of Mines at Butte and the Normal College at Dillon, Billings and Havre, and prescribing certain exceptions." Referred to Committee on Education.

House Bill No. 68, introduced by Anderson and Quigley: A Bill for an Act entitled: "An Act to amend Section 1002 of Revised Codes of Montana, 1921, relative to the qualifications of electors at school elections." Referred to Committee on Privileges and Elections.

House Bill No. 69, introduced by Ritch: A Bill for an Act entitled: "An Act appropriating money for the payment of claim of Andy Briscoe as compensation or as a pension and for an artificial limb and expenses incident to fitting artificial limb, due to injuries received while on duty in the service of the State of Montana as a private in the Service Company, 163rd Infantry, Montana National Guard." Referred to Committee on Appropriations.

House Bill No. 70, introduced by Southmayd and Bertsche: A Bill for an Act entitled: "An Act to amend Chapter 59 of the Montana Session Laws of 1933, relating to the fees of County Coroners." Referred to Committee on Townships and Counties.

House Bill No. 71, introduced by Padbury, Ewing, Balgord, Doe, O'Connor, Southmayd and Lasby: A Bill for an Act entitled: "An Act to protect trade-mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a distinguished trade-mark, brand or name." Referred to Committee on Judiciary.

THIRD READING OF HOUSE BILLS

House Joint Memorial No. 3, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner,

Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lip-pard, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monaghan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peter-son (Valley), Quigley, Rolph. Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 97.

Absent and not voting: Caldwell, Joffray, Leary, Ritch, Groene. Total 5.

The Speaker: Ninety-seven have voted "aye"; none have voted "no". House Joint Memorial No. 3 has passed the House.

It was moved by Byrne, duly seconded and carried, that consideration of General Orders be passed until the afternoon session.

The Speaker named the following as the select committee to investi-gate the condition of the Liquor Control Board of the State of Montana: Monahan of Park, Chairman, Stevens of Cascade, O'Brien of Silver Bow, Hedden of Yellowstone, and Foor of Roosevelt, attorney on the committee.

The Speaker announced he was about to sign Senate Joint Resolution No. 1, whereupon the clerk read the title of the same and the Speaker did sign in the presence of the House.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following bills:

By Whaley and Ballard: A Bill for an Act entitled: "An Act to amend Section 11 of Chapter 19 of the Session Laws of the Twentieth Legislative Assembly of Montana of 1927 relating to gasoline exempted from payment of the gasoline tax."

By Committee on Public Health and Sanitation, York, Chairman: A Bill for an Act entitled: "An Act to amend Sections 1, 2, and 7 of Chapter 127 of the Session Laws of the Twenty-first Legislative Assembly 1929, and to amend Sections 3, 9, 10 and 11 of Chapter 127 of the Session Laws of the Twenty-first Legislative Assembly, 1929, as the same was amended by Chapter 18 of the Session Laws of the Twenty-second Legis-lative Assembly, 1931, relating to barbers, and the occupation of barbering, and to barber shops, and to sanitary rules and regulations therefor; and as to the qualifications and registration of barbers, barber apprentices, students and barber schools or colleges; and for the issuance by the Board of Barber Examiners of licenses or permits to barbers, barber apprentices, students and to barber schools or colleges, and providing for the fees to be paid therefor, and for the renewal and cancellation thereof; and defining the occupation of barbering; and providing as to what constitutes a bar-ber shop; and providing that a barber shop shall not be conducted in a dwelling or with another business except as defined and specified in this Act; and providing for the examinations of barbers by the Board of Barber Examiners, and the issuance of licenses therefor, and relating to the fees to be paid therefor; and for the approval of barber schools or colleges, and

providing for the fees therefor; and providing for officers of the Board of Barber Examiners, their election and duties; and providing for an official seal for the Board of Barber Examiners, and for bonds of officers; and consolidating the office of secretary and treasurer so that the same shall be held by one member of the board, and providing for the election of a vice-president of said board, and providing that wherever in this Act any moneys or fees are required to be paid to the secretary or to the board, the same shall be paid to the secretary and treasurer; and providing for the examination and inspection of barber shops; and providing for the appointment by the Board of Barber Examiners of an inspector or inspectors and providing for certain police powers to be conferred upon members of the Board of Barber Examiners, and upon an inspector or inspectors appointed by such board; and prohibiting any person from practicing the occupation of a barber without first obtaining a license as provided for in this Act; and prohibiting any person knowingly employing a person to engage in the occupation of barbering who has not obtained such license; and prohibiting any person falsely pretending to practice the occupation of a barber who has not obtained such license; and providing a method for the cancellation or revocation of any certificate of registration or permit issued by said Board of Barber Examiners; and providing for the issuance of duplicate certificates and fees to be paid therefor; and providing a penalty for any person who fails to comply with the rules and regulations prescribed in this Act for the sterilization of tools, or fails to comply with the provisions of this Act with reference to the laundering of linen; and prescribing a penalty for any person who attempts to obtain a license for money other than the required fee; and prescribing the procedure upon failure to pass any examination to secure a permit or a re-examination; and to enact Section 7 providing for the term of office and appointment of members of the Board of Barber Examiners by the Governor; and to enact Section 8 providing for a penalty for the violation of provisions of this Act; and to enact Section 9 providing that if any portion of this Act is declared unconstitutional by a court of competent jurisdiction it shall not affect the validity of the remainder of the Act."

By Burris: A Bill for an Act entitled: "An Act to amend Section 5127 of the Revised Codes of Montana, 1921, as amended by Section 9 of Chapter 58 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana, as amended by Section 1, Chapter 127 of the Session Laws of the regular session of the Twenty-third Legislative Assembly of the State of Montana relative to the manner in which the State Auditor of the State of Montana shall pay to the Fire Department Relief Associations, legally organized and existing in the several cities and towns in the State of Montana, their respective share of the license fees collected from fire insurance companies licensed to do business in the State of Montana."

By Leavitt: A Bill for an Act entitled: "An Act to amend Chapter Sixty-seven (67) of the Laws of the Twenty-second Legislative Assembly, Montana, 1931, relating to the collection of taxes and providing that special assessments made for special improvements in towns and cities shall be collected by the County Treasurer at the same time and in the same manner as general taxes."

By Moss and Kelly: A Bill for an Act entitled: "An Act to amend Section 11170, Revised Codes of Montana, 1921, and to repeal Section 11179, Revised Codes of Montana, 1921, both of said sections relating to gambling."

By O'Byrne, Spiegel, Mitchell: A Bill for an Act entitled: "An Act to be hereafter named and cited as the Old Age Insurance Act, creating the Old Age Insurance Commission, prescribing their duties as such and giving to said Old Age Insurance Commission power to employ a secretary and other employees and fix their salaries or compensation, and to make such rules and regulations as shall be necessary to carry out the provisions of this Act, providing certain persons over the age of fifty-five years may be

granted Old Age Insurance, describing their qualifications therefor as to residence, character and property; creating the State Old Age Insurance Fund, providing for the re-payment to the Old Age Insurance Fund of all money paid in Old Age Insurance under certain conditions; providing the requirements to be made by the applicant before the Old Age Insurance may be collected; providing for Old Age Insurance Certificates, and renewal thereof; providing for payment of Old Age Insurance; exempting grants of Old Age Assistance from United States Government in determining income; providing that Old Age Insurance shall not be subject to assignment, sale, attachment or execution; providing for cancellation of Old Age Insurance Certificates under certain conditions; providing that the funds for payment of Old Age Insurance shall be furnished or obtained from such sources as the legislature may determine; providing for penalties for obtaining or aiding and abetting in obtaining Old Age Insurance through false representation or fraud; providing for the disqualification of applicants under certain conditions; providing that Old Age Insurance shall be paid from the State Old Age Insurance Fund; and providing for the reports of Old Age Insurance Commission to the legislature; and repealing Chapter 72, Session Laws 1923, and all Acts or parts of Acts in conflict herewith."

By Joffray: A Bill for an Act entitled: "An Act appropriating money in satisfaction of the claim of Dale Robinson for damages to his car resulting from the theft of said car by the inmates of the school for deaf and blind, and directing the State Auditor to draw his warrant out of any fund or funds not otherwise appropriated in settlement of said claim upon payment of said warrant."

By Byrne: A Bill for an Act entitled: An Act amending Section 76 Revised Codes of Montana, 1921, providing for the compensation of certain officers and employees of the Legislative Assembly, and repealing Chapter 99 of the Acts of the Twenty-third Legislative Assembly of Montana of 1933 and all Acts and parts of Acts in conflict herewith."

By Groene, Harlen, Minette, Heavlin, Toomey, Lemmer, Padbury, Neary, Spiegel, Ryan, O'Brien, Mitchell, Connors, Mulholland, O'Byrne, Emmons, Goodwin, Egan, Joffray: A Bill for an Act entitled: "An Act to regulate and control the operation of games of chance; to provide for the licensing thereof by the State Board of Equalization and granting to said boards certain powers therein; providing for the distribution to the state and counties of the proceeds thereof; establishing a special revenue and Old Age Pension Fund; making certain Acts illegal and providing penalties; prohibiting minors from participating in any of said games and providing penalties therefor; permitting cities and towns to levy a license tax therefor in addition to the state tax herein provided; providing that by a special election any county may prohibit the games of chance in said county; repealing all Acts or parts of Acts in conflict herewith."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 60, entitled: "An Act to amend Chapter 57 of the Laws of the Twentieth Legislative Assembly of the State of Montana for the year 1927, relating to the powers, duties and limitations of building and loan associations, by adding a new section thereto to be numbered Section 48A to provide the terms upon which certain building and loan associations may be permitted to resume business.

Respectfully report as follows: That House Bill No. 60 be amended as follows: By striking out in line 24 thereof, after the word "meeting," the words "a majority of the stock present and voting" and inserting in lieu, thereof, the following: "a majority of the outstanding stock voting, either in person or by proxy." and as amended, do pass.

ACHER, Chairman.

On motion of Acher, report adopted.

Without objection the Committee on Public Health and Sanitary Affairs was given an extension of time on House Bill No. 9.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following bills was this day introduced, read first and second times, and referred to committee:

House Bill No. 72, introduced by Leavitt: A Bill for an Act entitled: "An Act providing for the recount of the votes cast at any general or special election, or at any municipal election, by the Board of County Canvassers pursuant to an order therefore, upon application made to the District Court, or to a judge thereof, by any person who by the statement of the result of the canvass of the election returns by the Board of County Canvassers is found not to have received the highest number of votes for the office for which said person was a candidate at such election; and providing for the correction of the official canvass by the said Board of County Canvassers to conform to such recount; and for the cancellation of the certificate of election issued by the county clerk if it should be found by such recount that the person to whom the certificate had theretofore been issued did not receive the highest number of votes for said office; and for the issuance of a certificate of election to the successful candidate as disclosed by said recount; and repealing and amending all Acts or parts of Acts, or section of the statute in conflict herewith." Referred to Committee on Privileges and Elections.

It was moved by Byrne, duly seconded and carried, that consideration of General Orders be passed for the day.

Without objection the Committee on Labor was given an extension of time on House Bills Nos. 17 and 28.

The Speaker announced the following to act as a select committee to sit in on the Public Works meeting at the Placer Hotel at 10:00 A. M. Thursday, January 24th: Nutting of Yellowstone, Manning of Treasure, Goodwin of Silver Bow, Coultas of Ravalli, Hinerman of Valley and Kelly of Flathead.

Mr. Speaker: We, your Committee on Economy having had under consideration the question of the expense of printing of letter heads, do hereby recommend that if any member desires his name printed on stationery or letter heads, that such be done at the expense of the member desiring his name so printed.

RYAN, Chairman.

It was moved by Ryan, duly seconded and carried, that the above recommendation be adopted and the sergeant-at-arms be so advised.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Thursday at 11:00 o'clock A. M., January 24th, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

EIGHTEENTH DAY

House of Representatives,
Helena, Montana, January 24th, 1935.

House convened pursuant to adjournment at 11:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by Chaplain.

On roll call all members present except the following, who were excused: Caldwell, Coultas, Goodwin, Hinerman, Kelly, Manning, Nutting, Ritch.

Mr. Speaker: We, the Committee on Journal, having examined the Journal, for the 17th legislative day, find the same to be correct.

CLYDE J. QUIGLEY, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing beg leave to report the following bills correctly printed: No. 47.

McCAUSLAND, Chairman.

Without objection, report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day, introduce the following bills:

By Kruse and Haight: A Bill for an Act entitled: "An Act to prohibit any authority of the State of Montana having charge of the disbursement of expenditure of the income provided for any state owned institution maintained in whole or in part by the state, or any state department, from expending or contracting to expend any amount in excess thereof, and providing penalties therefor."

By Metlen: A Bill for an Act entitled: "An Act to authorize the erection or reconstruction by the State Board of Education of Buildings for the Montana State Normal College, to authorize the borrowing of money to pay for the construction or reconstruction of said buildings, to issue bonds and create a fund out of which the principal of and the interest upon the money so borrowed may be paid and to provide that the money so borrowed, shall not be and never shall become a charge against the State of Montana or a liability, debt or obligation of the State of Montana and declaring the existence of an emergency."

By Kruse: A Bill for an Act entitled: "An Act to authorize the State Depository Board to permit the State Treasurer to retain unregistered warrants as a part of his cash volume."

By Mulholland, Connors, O'Byrne: A Bill for an Act entitled: "An Act to amend Section 6339 of the Revised Codes of Montana of 1921, as amended by Section 1 of Chapter 55 of the Session Laws of Montana of 1931, relating to the payment by a fraternal benefit society of death and annuity benefits upon lives of children; providing for the organization and operation of a branch for children of such society, and providing for the amount of benefits payable thereunder."

By McLaughlin: A Bill for an Act entitled: "An Act to provide a bounty on gophers and provide the method of payment of the same."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 18, entitled: "An Act relating to the assessment of real property sold by any qualified agent of the State of Montana or any municipality or county thereof for taxation purposes."

Respectfully report as follows: That House Bill No. 18 do not pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 62, entitled: "An Act entitled for alternate jurors in any civil or felony case the trial of which is likely to be a protracted one, providing the method of drawing said jurors and specifying their duties and repealing all Acts and parts of Acts in conflict herewith."

Respectfully report as follows: That House Bill No. 62 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 6, entitled: "An Act to amend Sections 12093, 12094, 12095, 12097, 12098, 12099, 12100, 12101, 12103, 12104 of the Revised Codes of Montana of 1921, relating to the execution of any person upon judgment of death, proceedings upon insanity of defendants after judgment of death, proceedings where a female against whom a judgment of death is rendered is supposed to be pregnant, place of execution of judgment of death, and who to be present thereat, and relating to the execution of any person by the Warden of the State Prison, and to the suspension of judgment of execution by the said Warden and to the revival of the said judgment by the Governor."

Respectfully report as follows: That House Bill No. 6 be amended as follows: Section 8, line 4, the words "the Warden" be stricken out and inserted in lieu thereof "the sheriff of the county in which the crime was committed." Section 9, line 9; the words "within the walls of the state prison of this state" be stricken out and inserted in lieu thereof "upon prison property belonging to the State of Montana," and as amended, do pass.

MONAHAN, Chairman.

On motion of Monahan, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

It was moved by Byrne, duly seconded and carried, that the messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Oil and Leases: Recommend that S. B. No. 21 by Carroll, do pass, report adopted.

Committee on Relief and Social Welfare: Recommend that Senate Resolution No. 2, by Melton and Oliver, be amended as follows:

Strike out in lines 18 and 19, page 1, the words, "a hasty and inconsiderate manner in."

Amend by adding after the word, "investigation," in line 12, page 3, of said resolution the words, "in an amount not to exceed five hundred dollars (\$500.00)."

Amend in line 28, page 3, after the word, "incurred," by adding the words, "in an amount not to exceed Five Hundred Dollars (\$500.00)."

And as so amended, recommend said resolution do pass, report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Printing: That Senate Bills Nos. 7 and 19 have been correctly printed, report adopted.

Committee on Enrollment: That S. J. R. No. 1 has been correctly enrolled, report adopted.

Committee on Judiciary: That S. B. No. 28 do pass, report adopted.

Minority of Committee on Insurance: That S. B. No. 15 do pass, report adopted.

Committee on Banks and Banking: That S. B. No. 6 be amended as follows:

Add "Section 1" before the word "notwithstanding" in line 16.

In line 20 after the word "corporation" strike out the comma and insert a period in lieu thereof; before the word "it" and after the word "corporation," strike out the word "and" and insert in lieu thereof "notwithstanding other provisions of the law."

In Section 2, line 31, add the word and figure, "Section 2" before the word "subject."

In line 32 before the words "the bonds," strike out the words, "State Examiner," and insert in lieu thereof the words, "Superintendent of Banks."

And as so amended, recommend S. B. No. 6 do pass, report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time, and referred to committees:

S. B. No. 30, by Kelsey: A Bill for an Act entitled: "An Act to define the powers and duties of the State Board of Equalization with reference to reviewing and enforcing the laws of Montana relating to the taxation of mines and the imposition of taxes on mines and license taxes on the business of mining, and requiring the said board to review reports under said laws filed since and including the year 1925, and to correct the same where any errors or mistakes have been made and to collect any additional taxes due by reason of such corrections, abolishing all statutes limiting the power of the board in the premises as to time and all statutes or limitation or other statutes restricting or impeding the collection of such taxes or the bringing or the prosecution of suits to collect the same." Referred to Committee on Taxation.

S. B. No. 31, by Kelsey: A Bill for an Act entitled: "An Act to amend Section 853, Revised Codes of Montana, 1921, relating to the Greater University of Montana." Referred to Committee on Education.

S. B. No. 32, introduced by Kelsey: A Bill for an Act entitled: "An Act to amend Sections 3 and 6 of Initiative Measure No. 28, commonly called the Metal Mines License Tax Law, by amplifying the definition and computation of gross value of product as therein defined and other terms of said section so as to remove any difficulties in the administration of said law and so as to prevent evasion thereof." Referred to Committee on Taxation.

S. B. No. 33, by Blankenbaker: A Bill for an Act entitled: "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section 5 of Article XVI of the Constitution of Montana, relating to county officers; providing for the election of certain officers; extending the term of office of certain officers and providing for the filling of vacancies." Referred to Committee on Elections and Privileges.

S. B. No. 34, by Arnold et al: A Bill for an Act entitled: "An Act to provide for the submission to the qualified electors of the State of Montana of an amendment of Article XVI of the Constitution of the State of Montana by adding thereto a section to be known as Section 8 prohibiting the abandonment, abolition, and/or consolidation of counties in whole or in part or at all except by a majority vote of the duly qualified electors in the county or counties proposed to be abandoned, abolished and/or consolidated." Referred to Committee on New Counties and Divisions.

S. B. No. 35, by Committee on Judiciary: A Bill for an Act entitled: "An Act to authorize the Montana Board of Pharmacy to enact a rule

requiring pharmacists to keep a poison register, and providing penalties for violations of such rule." Committee on Judiciary.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motions were this day made, duly seconded and carried:

By Meiton: That Senate Bill No. 1 be passed for the day.

By Danielsen: That House Bill No. 16 be taken from Third Reading and re-referred to General File.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Joint Memorial No. 3 was this day introduced in the Senate, read first and second time, and referred to Committee on Federal Relations.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Meyer: A Bill for an Act entitled: "An Act requiring all banks doing business in the State of Montana to furnish an annual report of unclaimed deposits on the first day of March of each year after the passage and approval hereof to the Superintendent of Banks and providing for the publication of the names and addresses of each person and providing for an examination by the Bank Examiner of the books of the bank at least thirty days prior to March first of each year for the purpose of discovering all unclaimed deposits in either a general checking, savings account or otherwise or held upon certificates of deposit or in any other way by said banks and being unclaimed for a period of seven years or more prior to March first of each year and providing further for the payment of all funds unclaimed deposits for said period of time into State Treasury and upon proper distribution into the County Treasury where said bank or banks may be situated to be paid into a fund known as the Old Age Pension Fund and upon the failure of and Old Age Pension Fund to be divided equally between the Mother's Pension Fund and Widow's Pension Fund."

By Garrison: A Bill for an Act entitled: "An Act relating to special improvement districts embracing territory situated in more than one county and authorizing the district to borrow money and issue bonds for the purpose of installing electric light plants and equipment necessary for the furnishing of electric lights and power and providing for the levy and collection of special assessments to pay for the same and to extend the payment of installments over a period of thirty years and authorizing improvement district to accept grants from the President of the United States and to enter into contracts and arrangements for the construction of public work."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Keeley: A Bill for an Act entitled: "An Act regulating and limiting the width, length, height and size, and the weights of loads, of all vehicles and trailers and semi-trailers, being driven or operated upon any highway controlled or maintained by, or under the supervision of, the Montana State Highway Commission; between sunset and sunrise; excepting from the operation of this Act, vehicles, the bodies of which, are fully enclosed by glass windows with the interiors thereof fully lighted by electricity; providing penalties for the violation of this Act; and providing that nothing herein contained, except as otherwise expressly stated shall be deemed to repeal, modify or amend Chapter 171 of the Session Laws of the Twenty-second Legislative Assembly for 1931, or Chapter 147 of the Session Laws of the Twenty-third Legislative Assembly for 1933."

By Pauline and Baker: A Bill for an Act entitled: "An Act amending Section 574 R. C. M. 1921, relating to the determination of residence for the purpose of registration or voting."

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That H. B. No. 16 be concurred in.
Report adopted.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day in open session gave notice that he was about to sign, and did sign, S. J. R. No. 1.

Advice was also received from His Excellency, the Governor, that he had this day approved S. J. R. No. 1.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF SAME

The following were introduced, read first and second time and referred to committees: All appropriation measures having been read at length:

House Bill No. 73, introduced by Byrne: A Bill for an Act entitled: "An Act amending Section 76 R. C. M. 1921, providing for the compensation of certain officers and employees of the Legislative Assembly, and repealing Chapter 99 of the Acts of the Twenty-third Legislative Assembly of Montana of 1933 and all Acts and parts of Acts in conflict herewith." Referred to the Committee on Labor.

House Bill No. 74, introduced by Leavitt: A Bill for an Act entitled: "An Act relating to irrigation districts; empowering Boards of Commissioners of such districts to supervise, regulate and control the apportionment and distribution of water through the distribution system of such districts; providing for the installation of lock boxes, head gates or other devices for the distribution of water through laterals at the expense of the lands served thereby; prohibiting interference with the control of water by Boards of Commissioners; defining certain terms used in this Act; providing penalties for the violation of this Act and repealing Chapter 119 of the Acts of the Twenty-third Legislative Assembly of Montana

of 1933, and all other Acts and parts of Acts in conflict herewith." Referred to Committee on Irrigation and Water Rights.

House Bill No. 75, introduced by Southmayd, Bertsche and Lemmer by request: A Bill for an Act entitled: "An Act to amend Sections 2 and 5 of Chapter 120 of the Session Laws of the Twenty-first Legislative Assembly of the State of Montana, defining the qualifications of police officers in cities and towns in the State of Montana, providing for the creation of police reserves and specifying salary limitations thereon." Referred to Committee on Affairs of Cities.

House Bill No. 76, introduced by Stevens, Southmayd, Lemmer: A Bill for an Act entitled: "An Act to amend Section 4932 of the Revised Codes of the State of Montana, 1921, to allow constables salaries in certain townships." Referred to Committee on Townships and Counties.

House Bill No. 77, introduced by Ecton: A Bill for an Act entitled: "An Act to amend Section 14 of Chapter 147 Acts of the Twentieth Legislative Assembly entitled: 'An Act relating to school district bonds; granting Boards of Trustees of school districts of all classes the power to issue, negotiate and sell or exchange bonds for certain purposes under certain limitations and restrictions; providing the manner of holding bond elections and prescribing the qualifications of electors; prescribing the procedure covering the issuing, sale, or exchange of such bonds; providing for payment of the principal and interest of such bonds; prescribing the duties of Boards of School Trustees; Boards of County Commissioners, and County Treasurers in connection with the levying and collection of taxes for the payment of principal and interest on such bonds; and repealing Sections 1032, 1230, 1232 and Sections 1244 to 1251 inclusive, of the Revised Codes of Montana of 1921; repealing Sections 1224, 1225, 1226, 1228 and 1229 of the Revised Codes of Montana of 1921, as amended by Chapter 153 of the Laws of the Eighteenth Legislative Assembly; repealing the said Chapter 153, and all other Acts and parts of Acts in conflict with the provisions of this Act.'" Referred to Committee on Education.

House Bill No. 78, introduced by Ryan and Mulholland: A Bill for an Act entitled: "An Act to amend Section 2000, Revised Codes, Montana, 1921, relating to basis for imposition of taxes." Referred to Committee on Revenue and Taxation.

House Bill No. 79, introduced by Lovell, Groene, Harlen, Minette, Heavlin, Toomey, Lemmer, Padbury, Neary, Spiegel, Ryan, O'Brien, Mitchell, Connors, Mulholland, O'Byrne, Emmons, Goodwin, Egan, Joffray: A Bill for an Act entitled: "An Act to regulate and control the operation of games of chance; to provide for the licensing thereof by the State Board of Equalization and granting to said board certain powers therein; providing for the distribution to the state and counties of the proceeds thereof; establishing a special revenue and old age pension fund; making certain Acts illegal and providing penalties; prohibiting minors from participating in any of said games and providing penalties therefor; permitting cities and towns to levy a license tax therefor in addition to the state tax herein provided; providing that by a special election any county may prohibit the games of chance in said county; repealing all Acts or parts of Acts in conflict therewith." Referred to Committee on Revenue and Taxation.

House Bill No. 80, introduced by Foor: A Bill for an Act entitled: "An Act to amend Subdivision 3 of Section 8 of Chapter 65, Session Laws of 1923, relating to an Act to establish a tax on direct and collateral inheritances, bequests and devises; to provide for its assessment and collection; directing the dispositions of the proceeds thereof. All Acts and parts of Acts in conflict herewith are hereby repealed. Referred to Committee on Revenue and Taxation.

House Bill No. 81, introduced by Joffray: A Bill for an Act entitled: "An Act appropriating money in satisfaction of the claim of Dale Robinson for damages to his car resulting from the theft of said car by the inmates of the School for Deaf and Blind, and directing the State Auditor to draw his warrant out of any fund or funds not otherwise appropriated in settlement of said claim upon payment of said warrant." Referred to Committee on Appropriations.

House Bill No. 82, introduced by Acher: A Bill for an Act entitled: "An Act granting to non-resident owners and operators of motor vehicles the privilege of using the highways of the State of Montana and its political subdivisions and providing for the appointment by such non-resident users of such highways and by resident users of such highways of the Secretary of State as attorney in fact for such operators of motor vehicles for service of all lawful process in any action or proceeding against such operators of motor vehicles growing out of any accident, collision, or liability in which such operators of motor vehicles may be involved while operating motor vehicles upon such highways; and providing that the Act shall not apply if the defendant may with due diligence be found and personally served with process in the State of Montana." Referred to Committee on Highways.

It was moved by Byrne, duly seconded and carried, that consideration of General Orders be passed until the afternoon session.

The Speaker appointed the following committees to act on House Resolution No. 3.

Committee No. 1: State Government Financing: Chapman, Chairman; Burris, Holding, Spiegel, Groene, Attorney.

Committee No. 2: Investigation of University Finances: Heavlin, Chairman; Sherman, Hamilton, Buttelman, Toomey, Attorney.

Committee No. 3: City and District School Finances: Haight, Chairman, Quigley, Peterson (Valley), Lippard, Peterson (Gallatin), Attorney.

Committee No. 4: Revenue to Replace Property Taxes: Cusick, Chairman; Fowler, Kruse, Rolph, Leavitt, Attorney.

Without objection the Committee on Education was granted an extension of time on House Bills Nos. 30 and 31.

It was moved by Byrne, duly seconded and carried that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed.

Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following bills:

By Lemmer: A Bill for an Act entitled: "An Act to amend Section 3651 of the Revised Codes of Montana, 1921, relating to the membership and terms of the State Fish and Game Commission, said amendment relating to the removal and appointment of such commissioners by the Governor."

By Burris, Groene, Metlen, Southmayd, Holding, Padbury, Byrne, Boone, Mitchell: A Bill for an Act entitled: "An Act to amend Section 5138 of the Revised Codes of Montana, 1921, as amended by Section 1 of Chapter 135 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana, relating to hours of work of members of paid fire departments of cities of the first and second class, providing a minimum

compensation for members of paid fire departments of cities of the first class, providing that members of paid fire departments of cities of the second class shall suffer no reduction in salary on account of the operation thereof, providing penalties for a violation thereof, and repealing all Acts or parts of Acts in conflict therewith."

By McLaughlin and Stevens: A Bill for an Act entitled: "An Act providing that all legal executions within the State of Montana hereafter shall be by the use of lethal gas instead of by hanging; and for the amendment of Section 12102."

By Metlen: A Bill for an Act entitled: "An Act relating to actions quieting title to personal property; providing where such actions may be brought; and providing for the procedure which shall be made applicable thereto."

By Groene: A Bill for an Act entitled: "An Act providing for the conversion of building and loan associations and other home financing organizations into Federal savings and loan associations, prescribing the procedure therefor, defining the results thereof and providing for the indebtedness of such associations."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed: Nos. 48, 11, 60, 38.

McCAUSLAND, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 10, entitled: "An Act to amend Chapter 116 of the Twenty-third Legislative Assembly, which is an Act relating to the granting of stays of proceedings in actions instituted in the District Courts for the foreclosure of mortgages on real estate; said amendment being for the purpose of extending the time limitation expressed therein until March 1, 1937," respectfully report as follows: That House Bill No. 10 do not pass, but that Substitute House Bill No. 10 do pass.

BOONE, Chairman.

On motion of Bonne, report adopted.

Mr. Speaker: We, your Committee on State Institutions, having had under consideration, House Bill No. 50, entitled: "An Act to amend Section 1536 of the Revised Codes of Montana, 1921, as amended by Section 2 of Chapter 126 of the 19th Legislative Assembly; relating to the admission of wives and widows of soldiers and sailors to the Soldiers' Home," respectfully report as follows: That House Bill No. 50 be amended as follows: That the figures "1934", appearing in line 18, be stricken, and the figures "1922" substituted in lieu thereof, and that the following provision be added immediately after the figures 1934, in line 18, to-wit: "Provided that no woman be admitted who has not attained the age of fifty (50) years," and as amended, do pass.

NEARY, Chairman.

On motion of Neary, report adopted.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF SAME

The following bills were introduced, read first and second time and referred to committees:

House Resolution No. 5, introduced by O'Byrne and Spiegel: "A Resolution requesting the enactment by Congress of the Lundeen Bill, which

provides for the establishment of unemployment and social insurance." Referred to Committee on Federal Relations.

House Bill No. 83, introduced by Burris: A Bill for an Act entitled: "An Act to amend Section 5127 of the Revised Codes of Montana, 1921, as amended by Section 9 of Chapter 58 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana, as amended by Section 1, Chapter 127 of the Session Laws of the Regular Session of the Twenty-third Legislative Assembly of the State of Montana relative to the manner in which the State Auditor of the State of Montana shall pay the fire department relief associations, legally organized and existing in the several cities and towns in the State of Montana, their respective share of the license fees collected from fire insurance companies licensed to do business in the State of Montana." Referred to Committee on Insurance.

House Bill No. 84, introduced by Leavitt and Moss: A Bill for an Act entitled: "An Act relating to the licensing of persons operating motor vehicles upon the highways of the state; prescribing the persons and operators to be licensed, the form of license and the fees to be charged therefor; providing for the suspension and revocation of any license issued and prescribing penalties for the violation of the provision of this Act." Referred to Committee on Highways.

House Bill No. 85, introduced by Committee on Public Health and Sanitary Affairs, by request: A Bill for an Act entitled: "An Act to amend Sections 1, 2 and 7 of Chapter 127 of the Session Laws of the Twenty-first Legislative Assembly, 1929, and to amend Sections 3, 9, 10 and 11 of Chapter 127 of the Session Laws of the Twenty-first Legislative Assembly 1929, as the same was amended by Chapter 18 of the Session Laws of the Twenty-second Legislative Assembly 1931, relating to barbers, and the occupation of barbering, and to barber shops, and to sanitary rules and regulations therefor; and as to the qualifications and registration of barbers, barber apprentices, students and barber schools or colleges; and for the issuance by the Board of Barber Examiners of licenses or permits to barbers, barber apprentices, students and to barber schools or colleges, and providing for the fees to be paid therefor, and for the renewal and cancellation thereof; and defining the occupation of barbering; and providing as to what constitutes a barber shop; and providing that a barber shop shall not be conducted in a dwelling or with another business except as defined and specified in this Act; and providing for the examinations of barbers by the Board of Barber Examiners, and the issuance of licenses therefor, and relating to the fees to be paid therefor; and for the approval of barber schools or colleges, and providing for the fees therefor; and providing for officers of the Board of Barber Examiners, their election and duties; and providing for an official seal for the Board of Barber Examiners, and for bonds of officers; and consolidating the office of secretary and treasurer so that the same shall be held by one member of the board, and providing for the election of a vice-president of said board, and providing that wherever in this Act any moneys or fees are required to be paid to the secretary or to the board, the same shall be paid to the secretary and treasurer; and providing for the examination and inspection of barber shops; and providing for the appointment by the Board of Barber Examiners of an inspector or inspectors, and as to the compensation and duties of such inspector and inspectors and providing for certain police powers to be conferred upon members of the Board of Barber Examiners, and upon an inspector or inspectors appointed by such board; and prohibiting any person from practicing the occupation of a barber without first obtaining a license as provided for in this Act; and prohibiting any person knowingly employing a person to engage in the occupation of barbering who has not obtained such license; and prohibiting any person falsely pretending to practice the occupation of a barber who has not obtained such license; and providing a method for the cancellation or revocation of any certificate of registration or permit issued by said Board of

Barber Examiners; and providing for the issuance of duplicate certificates and fees to be paid therefor; and providing a penalty for any person who fails to comply with the rules and regulations prescribed in this Act for the sterilization of tools, or fails to comply with the provisions of this Act with reference to the laundering of linen; and prescribing a penalty for any person who attempts to obtain a license for money other than the required fee; and prescribing the procedure upon failure to pass any examination to secure a permit or a re-examination; and to enact Section 7 providing for the term of office and appointment of members of the Board of Barber Examiners by the Governor; and to enact Section 8 providing for a penalty for the violation of provisions of this Act; and to enact Section 8 providing that if any portion of this Act is declared unconstitutional by a court of competent jurisdiction it shall not affect the validity of the remainder of the Act." Referred to Committee on Public Health and Sanitary Affairs.

House Bill No. 86, introduced by Committee on Public Health and Sanitary Affairs, by request: A Bill for an Act entitled: "An Act to amend Section 3144 and to amend Section 3149 as amended by Chapter 129 of Session Laws of 1933 and Section 3153 of the Revised Codes of Montana of 1921 relative to the definition of Chiropractic, renewal and the penalty for violation of Act." Referred to Committee on Public Health and Sanitary Affairs.

House Bill No. 87, introduced by Committee on Public Health and Sanitary Affairs, by request: A Bill for an Act entitled: "An Act establishing the State Board of Dental Examiners of the State of Montana, and specifying the qualifications, term of office and compensation, and providing for the appointment of the members of the board, prescribing the powers and duties of said board, specifying the qualifications of applicants for licenses to practice dentistry and dental hygiene within the State of Montana, providing for the examination of such applicants and the fees to be paid by them, the issuance of licenses to successful applicants, defining and regulating the practice of dentistry with the State of Montana, prohibiting the practice of dentistry without a license and providing penalties for the violation of this Act, defining and prohibiting unprofessional conduct of dentists and specifying the grounds and procedure for the revocation of licenses, and further prescribing penalties for the violation of this Act in such particulars and repealing Sections 3105, 3106, 3107, 3108, 3109, 3110, 3111, 3112, 3113, 3114 and 3115 Revised Codes, Montana, 1921, being Chapter 222, Part III, Political Code of the State of Montana, and all Acts and parts of Acts in conflict herewith." Referred to Committee on Public Health and Sanitary Affairs.

House Bill No. 88, introduced by Moss and Kelly: A Bill for an Act entitled: "An Act to amend Section 11170 Revised Codes of Montana, 1921, and to repeal Section 11179 Revised Codes of Montana, 1921, both of said Sections relating to gambling." Referred to Committee on Affairs of Cities.

The Speaker gave notice that he was about to sign Senate Joint Resolution No. 3, whereupon the clerk read the title of the same and the Speaker did sign in the presence of the House.

MOTIONS AND RESOLUTIONS

It was moved by Padbury, duly seconded and carried, that House Bill No. 86 be re-referred to the Committee on Judiciary.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

Mr. Smith in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 21 and House Bill No. 47, and House Bill No. 38, recommend the following:

That House Bill No. 21 be amended as follows: Amend the title by striking out in line 3 of the printed bill the word "and" and by changing the comma after the word "county" in the last line to a period and strike out the words "to read as follow"; the clerk was authorized to change the year "1933" to "1921" in line 14 of the original bill; and as amended do pass.

That House Bill No. 47 do pass.

That House Bill No. 38 be amended as follows: By striking out in Section 3 of line 1 of the printed bill, the word "duplicate" and inserting in lieu thereof the word "triplicate"; by striking out in Section 8, line 2, of the printed bill "No. 8" and inserting in lieu thereof the word and figure "No. 7"; by striking out in Section 11, lines 1 and 2 of the printed bill with words "any corporation, organization, society or agency of any and all denominations and the word "he" includes "she" and inserting in lieu thereof the words "male or female human being"; by striking out in line three of the title of the printed bill the figures "10,000" and inserting in lieu thereof the figures "22,000"; by striking out in line 1, Section 1 of the printed bill, line 1 the figures "10,000" and inserting in lieu thereof the figures "22,000"; by adding an additional section thereto, being known as Section 17, which provides as follows:

"It shall be the duty of the County Clerk and Recorder to arrange the photographs of voters of every precinct in some conspicuous place for public inspection against any duplications and such precinct shall have the following inscription above, registered voters of precinct No. For this photo there shall be no official seal necessary.

Any elector may furnish his own photograph to any registrar of election that is further than 10 miles from a Court House and such photographs shall be 2x3 inches in size.

Any such registrar shall be subject to same penalties as provided in this Act against any fraudulent registration.

There shall be three photographs finished; one for general public inspection; one for the judge's file in precinct; and one for the elector himself. The photographs for election judges shall be alphabetically arranged in each precinct for convenience of said judges.

The electors in such county shall register and be photographed at their convenience; between any elections and 45 days previous to the election at which they intend to vote.

Absent Voting—How Conducted

The elector expecting to be absent on election day, he may appear before the Clerk and Recorder and by producing his registration card and photograph of himself, he shall cast his vote in presence of such Clerk and Recorder in such a way so that such Clerk and Recorder can not see for whom such elector is voting.

If elector is away from such county and can not appear in person to cast his ballot on such election day, he may appear before a Notary Public in the city in which he may live. He shall request that he desires to vote and deposit with him the registration card and photo of himself. The Notary Public shall transmit such registration card and photo to said Clerk and Recorder, requesting that an absent voting ballot be sent to said Notary Public, also registration card and photo of such elector be returned. After proper inspection by the Clerk and Recorder of the registration card and photo, and after satisfying himself that such elector

is entitled to vote, he shall immediately forward to such Notary Public an absent ballot and said elector shall appear before such Notary Public to cast his ballot after receiving such absent ballot voted by the elector. The Clerk and Recorder shall take his registration card and photo and file it in the file has already voted and cancel such an elector on register as voted. The Clerk and Recorder shall transmit such a ballot to judges of election to be counted in such precinct;" and renumber subsequent sections accordingly, and as amended recommend that House Bill No. 38 do pass.

PAUL SMITH, Chairman.

It was moved by Smith, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by O'Byrne, duly seconded, that House Bill No. 38 be segregated from the report of the Committee of the Whole and a roll call be had.

Thereupon roll call was had upon motion by O'Byrne, to segregate House Bill No. 38.

Ayes: Burris, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Ecton, Emmett, Emmons, Fowler, Goodwin, Gordon, Kathan, Kuhl, Leavitt, Lippard, Lovell, McCausland, Manning, Masterson, Miller (Roosevelt), Mitchell, Monahan, Mulholland, Mundy, Neary, O'Brien, Ormsbee, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Rolph, Ryan, Sherman, Spiegel, Stevens, Toomey, Whaley, White (Hill), York. Total 42.

Noes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Busch, Coultas, Cusick, Doe, Egan, Ewing, Foor, Gray, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Joffray, Kelly, Kruse, Lasby, Lemmer, Liggett, Lott, Metlen, Miller (Big Horn), Minette, Moss, Nelson, O'Connor, Padbury, Parker, Quigley, Scofield, Sexton, Smith, Southmayd, Stimatz, Stromnes, Watson, White (Judith Basin), Worden. Total 50.

Not voting: Haight, Holding, Johnson, Mr. Speaker. Total 4.

Absent and not voting: Caldwell, Hinerman, Leary, McLaughlin, Nutting, Ritch. Total 6.

The Speaker: 42 have voted "aye", 50 have voted "no". Motion to segregate is lost.

Whereupon motion by Smith to adopt report of the Committee of the Whole was put and carried.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Friday at 11:00 A. M., January 25th, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

NINETEENTH DAY

House of Representatives,
Helena, Montana, January 25th, 1933

House convened, pursuant to adjournment, at 11:00 o'clock A. M.
Mr. Speaker in the Chair.

Invocation by Chaplain.

On roll call, all members present except the following who were excused: Caldwell, Manning and Ritch.

Mr. Speaker: We, the Committee on Journal, having examined the Journal for the 18th legislative day, find the same to be correct.

CLYDE J. QUIGLEY, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills as correctly engrossed: House Bill No. 47.

EWING, Chairman.

Without objection, report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following bills:

By Committee on Public Health and Sanitation, by request: A Bill for an Act entitled: "An Act to define Osteopathy and to authorize and regulate the practice of Osteopathic Physicians and Osteopathic Surgeons and to provide penalties for the violation of this Act, and to repeal Sections 3125 to 3137 inclusive of the Revised Codes of Montana of 1921 and Chapter 79 of the Session Laws of 1925, and all Acts and parts of Acts in conflict herewith."

By Lasby, Fowler, Smith, Haugan, Ahlgreen, Egan, Brennan, Chamberlain: A Bill for an Act entitled: "An Act creating the Montana Highway Patrol Commission, designating the members thereof, providing for the selection, qualification and duties of a Chief Patrol Officer and Patrolmen; defining certain offenses on the highways and menaces to the public health and safety, and fixing penalties for the infraction thereof; providing for state drivers' licenses; creating a Highway Patrol Revolving Fund from licenses and fines. Deeming this Act an emergency Act and repealing all Acts and parts of Acts in conflict herewith."

By Heavlin: A Bill for an Act entitled: "An Act to amend Section 8344, Revised Codes of Montana, 1921, relating to priority of mechanics' liens over mortgage."

By Egan: A Bill for an Act entitled: "An Act to reduce the membership of the House of Representatives to fifty-six, or one representative from each county, allowing each county the same number of votes in the House of Representatives as it now has, the one representative having authority to vote as many votes as his county now has in the House of Representatives.

By Acher: A Bill for an Act entitled: "An Act providing for compulsory motor vehicle liability insurance upon all motor vehicles of resident owners operated upon the highways of the State of Montana, and of all non-resident owners who are required to obtain non-resident licenses within the State of Montana; requiring surety and indemnity companies who write such policies of liability insurance to comply with certain conditions prescribed by the Act under the supervision of the Commissioner of Insurance; providing that the Commissioner of Insurance shall fix the premiums to be charged motorists for such policies of liability insurance."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 63, entitled: "An Act to amend Section 7726 of the Revised Codes of Montana of 1921, relative to the maximum rate of interest, respectfully report House Bill No. 63 without recommendation.

BOONE, Chairman.

On motion of Boone, report adopted.

It was moved by Fowler, duly seconded and carried, that House Bill No. 63 be printed and placed on General Orders.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 61, entitled: "An Act amending Section 10376 of the Revised Codes of Montana of 1921, relating to the powers of Clerks of the District Courts to issue notices, orders, and hold hearings in probate and guardianship matters and providing for the modification or setting aside of any notices or orders so made," respectfully report as follows: That House Bill No. 61 be amended as follows: In line 11, after the word "may", add the following "make all necessary orders and"; in line 13, after the word "administration" strike the word "and" and insert in lieu thereof, the word "or", and in line 26, after the word "within" strike the words "three months" and insert in lieu thereof, the words, "thirty days." And as amended do pass.

BOONE, Chairman.

On motion by Boone, report adopted.

Mr. Speaker: We, your Committee on Economy, having had under consideration House Resolution No. 2, entitled: "Resolution relative to the giving of examinations to all typists and stenographers and relative to the discharge of all who can not pass such examinations and the employment of others in their places," respectfully report as follows: That House Resolution No. 2 be not adopted.

RYAN, Chairman.

It was moved by Ryan, duly seconded, that the report be adopted.

On substitute motion, it was moved by Stimatz, duly seconded, that House Resolution No. 2 be adopted. Motion was lost.

Whereupon motion by Ryan was adopted.

Mr. Speaker: We, your Committee on Horticulture, having had under consideration House Bill No. 55, entitled: "An Act to amend paragraphs (D) and (G) of Section 1 of Chapter 138 of the Twenty-second Legislative Assembly as amended by Chapter 1 of the Twenty-third Legislative Assembly; to amend Section 3 of Chapter 138 of the Twenty-second Legislative Assembly; and to amend Section 6 of Chapter 138 of the Twenty-second Legislative Assembly; all relating to fixing standard grades of apples," respectfully report as follows: That House Bill No. 55 do pass.

KUHL, Chairman.

On motion by Kuhl, report adopted.

Mr. Speaker: We, your Committee on Horticulture, having had under consideration House Bill No. 54, entitled: "An Act to amend Section 2, paragraph a, b and c of Section 4 and Section 18 of Chapter 164 of the Montana Session Laws of 1933 relating to Wholesale Dealers in Agriculture Products," respectfully report as follows: That House Bill No. 54 do pass.

KUHL, Chairman.

On motion by Kuhl, report adopted.

Mr. Speaker: We, your Committee on Horticulture, having had under consideration House Bill No. 53, entitled: "An Act to regulate advertising of agricultural products; providing for grade to be quoted in advertisements and providing for a penalty for violation thereof; and repealing all laws in conflict herewith," respectfully report as follows: That House Bill No. 53 do pass.

KUHL, Chairman.

On motion by Kuhl, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR
AND THE SENATE

The following message was received from the Governor:
The Speaker,
House of Representatives,
Helena, Montana.

Herewith I am transmitting a certified copy of House Joint Memorial No. 2 of the Idaho Legislative Assembly, which has just been received from the Secretary of State of the State of Idaho.

The Memorial is transmitted for such consideration as your Honorable Body may deem desirable.

F. H. COONEY, Governor.

STATE OF IDAHO—DEPARTMENT OF STATE

I, FRANKLIN GIRARD, Secretary of State of the State of Idaho, and custodian of the Seal of said state, do hereby certify:

That I have carefully compared the annexed copy of House Joint Memorial No. 2 with the original thereof adopted by the Senate and House of Representatives of the Twenty-third Legislative Assembly of the State of Idaho, and filed in the office of the Secretary of State of the State of Idaho, January 21st, 1935, and that the same is a full, true and complete transcript therefrom and of the whole thereof, together with all endorsements thereon.

(SEAL)

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State. Done at Boise, the Capital of Idaho, this 21st day of January, A. D. 1935.

FRANKLIN GIRARD,
Secretary of State.

Legislature of the State of Idaho. Twenty-third Session. In the House of Representatives, House Joint Memorial No. 2, by Committee on Agriculture, a Joint Memorial.

To the State Legislatures of the states of: Arizona, California, Colorado, Illinois, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, Oklahoma, Oregon, South Dakota, Washington, Wisconsin and Wyoming.

Received and filed January 21, 1935. Franklin Girard, Secretary of State.

We, your Memorialists, the Legislature of the State of Idaho respectfully represent that:

Whereas, the state departments of agriculture in the states hereinbefore named have seen fit to place quarantine restrictions against shipments of alfalfa hay from Idaho into their respective states, because of a claim, made by said state departments of agriculture that Idaho hay is infected with alfalfa weevil, and

Whereas, the alfalfa weevil has not been a factor that has affected the yield or added to the cost of production of alfalfa in Idaho for the last ten years, and

Whereas, a parasitic fly, which preys upon the alfalfa weevil has reduced their population to the point where it is almost impossible to find alfalfa weevil at the height of the growing season in hay fields of Idaho, and

Whereas, investigations carried on by the department of entomology of the University of Idaho have failed to ever find live weevil or live eggs

of such alfalfa weevil in stacks of hay that have gone through the sweating process, and

Whereas, alfalfa weevil is no longer an economic factor in the production of hay in Idaho, and due to the fact that it is entirely controlled by such natural enemies, and

Whereas, the quarantines placed against alfalfa raised in Idaho have become and now constitute an embargo against interstate movement of one of the major crops produced within the state, and

Whereas, many of the states named above, that have placed quarantines against the movement of alfalfa hay into their territories from Idaho, are now faced with an acute and serious shortage of forage;

Now Therefore, Be It Resolved, That we your memorialists respectfully request the immediate and serious consideration of this quarantine or embargo and that a just and equitable investigation be made to the end that the same may be lifted to the mutual benefit of the hay producers of Idaho and the livestock interests of your state.

Be It Further Resolved, That the Secretary of State of the State of Idaho, be authorized and he is hereby directed to forward copies of this memorial to the state legislatures hereinbefore named.

This House Joint Memorial passed the House on the 16th day of January, 1935.

TROY D. SMITH,
Speaker of the House of Representatives.

This House Joint Memorial passed the Senate on the 17th day of January, 1935.

G. P. MIX,
President of the Senate.

I hereby certify that the within House Joint Memorial No. 2 originated in the House of Representatives during the Twenty-third Session of the Legislature of the State of Idaho.

G. F. RUDD,
Chief Clerk of the House of Representatives.

It was moved by Byrne, duly seconded and carried, that the messages from the Senate be considered read at length, and that the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees have this day reported as follows:

Committee on Printing: Reported the following Senate Bills correctly printed: Senate Bills Nos. 4, 6, 15, 17, 20, 21, 23 and 28.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Elections and Privileges: That S. B. No. 33 be referred to Committee on Constitutional Amendments, report adopted.

Committee on Elections and Privileges: That S. B. No. 24 do not pass, report adopted.

Committee on New Counties and Divisions: That S. B. No. 34, do pass, report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time, and referred to committees:

S. B. No. 36, by Committee on Banks and Banking: A Bill for an Act entitled: "An Act to increase labor and promote industry by authorizing building and loan associations, subject to the regulations of the Federal Housing Administrator, to make loans, charges, investments, advances of credit, purchases, sales contracts for insurance of mortgages and stockholders' accounts and other contracts, as are now, or may hereafter be authorized or provided for in titles I, II, or IV of an Act of Congress cited as 'National Housing Act' approved by the President on the 27th day of June, A. D. 1934, as well as by any amendment thereof duly passed and approved; exempting such loans, charges, investments, advances of credit, purchases, sales, contracts for insurance of mortgages and stockholders' accounts and other contracts from the operation and application of general statutes of this state in conflict with said Act and regulations; declaring an emergency." Referred to Committee on Banks and Banking.

S. B. No. 37, by Pauline and Baker: A Bill for an Act entitled: "An Act amending Section 574 R. C. M. 1921, relating to the determination of residence for the purpose of registration or voting." Referred to Committee on Judiciary.

S. B. No. 38, introduced by Keeley: A Bill for an Act entitled: "An Act regulating and limiting the width, length, height and size, and the weights of loads, of all vehicles and trailers and semi-trailers, being driven or operated upon any highway controlled or maintained by, or under the supervision of the Montana State Highway Commission, between sunset and sunrise; excepting from the operation of this Act, vehicles, the bodies of which, are fully enclosed by glass windows with the interiors thereof fully lighted by electricity; providing penalties for the violation of this Act; and providing that nothing herein contained, except as otherwise expressly stated, shall be deemed to repeal, modify or amend Chapter 171 of the Session Laws of the Twenty-second Legislative Assembly for 1931, or Chapter 147 of the Session Laws of the Twenty-third Legislative Assembly for 1933." Referred to Committee on Roads and Highways."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day introduced, read first and second time, and referred to committee:

S. B. No. 39, by Committee on Banks and Banking: A Bill for an Act entitled: "An Act to amend Section 21 of Chapter 89, Session Laws of the Twentieth Legislative Assembly, 1927, being an Act relating to the liability of stockholders of Montana State Banks," referred to Committee on Banks and Banking.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Sibbert: A Bill for an Act entitled: "An Act to prohibit a clause or clauses to be contained in a chattel mortgage or real property mortgage allowing a mortgagee or his assigns to take a deficiency judgment against a mortgagor where the property mortgaged as security for an obligation is not sufficient to pay the amount of said obligation and declaring such a clause or clauses to be void as against public policy of the State of Montana, and providing for penalty for violation of this Act."

By Sibbert: A Bill for an Act entitled: "An Act to amend Sections 9427 and 9428 of the Revised Codes of Montana of 1921, relating to property exempt from execution, including also specific exemptions."

By Sibbert: A Bill for an Act entitled: "An Act requiring mortgages under chattel or real property mortgages to file in the office of the County Clerk and Recorder of the county or counties where the mortgages are filed or recorded in, a satisfaction or discharge of the same for filing or recordation, and providing for a penalty for failure so to do."

By Meyer: A Bill for an Act entitled: "An Act to amend Section 8814 of the Revised Codes of Montana, 1921, relating to the salary of District Judges."

By Simmons: A Bill for an Act entitled: "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section 7 of Article 5 of the Constitution of the State of Montana, relating to Senators and Representatives."

By Simmons: A Bill for an Act entitled: "An Act to amend Section 25 of Chapter 60 of the Session Laws of the State of Montana of 1927, as amended by Chapter 42 of the Session Laws of the State of Montana of 1933, relating to the leasing of state lands, determination of rental value for agricultural and grazing purposes, and town, city and other lots."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Meyer: A Bill for an Act entitled: "An Act to amend Section 2899 of the Revised Codes of Montana, of 1921, relating to Workmen's Compensation."

By Kilduff and Kelsey: A Bill for an Act entitled: "An Act creating a Highway Patrol for the State of Montana which shall operate under the direction and supervision of the maintenance department of the State Highway Commission; providing for its organization, operation, regulation, powers and duties; providing for the expense and maintenance of same; providing for the disposition of fine and forfeitures collected in enforcing State Highway statutes and regulations; providing penalties for the violation of this Act; and repealing all Acts and parts of Acts in conflict herewith."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. B. No. 1 be amended in Section 1, line 13, original bill; line 2, printed bill; after the word "employment," by inserting the following words: "contract, commission or fee";

Be amended in line 22, original bill, being line 8, printed bill, by inserting the words, "commission or fee," after the word, "salary";

Be amended in Section 1 by striking out in line 15 the period and adding thereafter the following: "except where the combined salaries and emoluments of the office of Senator or Representative and those of such other appointment or employment do not exceed the sum of \$1000.00 per year";

Be amended in Section 2 in line 26, original bill, being line 3, printed bill, by inserting after the word, "employment" the words, "contract, business opportunity, or method of gain";

Be amended in Section 2 in line 30, original bill, being line 5, printed bill, by inserting the words, "or benefits," after the word, "appointments";

Be amended in Section 2 by striking out in line 15 the word "of", and adding, "or benefits derived by";

And as so amended, recommend said S. B. No. 1 do pass, report adopted.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

The following motion was made by Haight and seconded:

Whereas: Certain criminal charges have been made against Tom Carey, a member of the Board of Railway Commissioners.

Therefore: I move that a committee of five members of the House be this day appointed by the Speaker to investigate said charges and any matters pertaining thereto, said committee to report back to this House. Said committee to be given full and complete power to subpoena witnesses and request the production of any and all evidence which may be necessary or deemed of value to the committee in its investigation.

HAIGHT.

On substitute motion, it was moved by Fowler, duly seconded and carried, that the motion by Haight be referred to the Committee on Judiciary with instructions to report on same within twenty-four hours.

The following House Joint Resolution No. 3, introduced by Fowler, was adopted:

Whereas, a committee of five has been appointed by the House to investigate the Liquor Control Board and its activities and to make recommendations relative thereto; and

Whereas, the Honorable Senate of the State of Montana has appointed a committee of seven to investigate the same subject; and

Whereas, it is highly desirable that the time of the legislators shall be conserved, that the expense involved in connection with said investigation shall be held at as low a point as possible; and

Whereas, it is deemed, for these reasons, to be advisable that the said investigation shall be conducted jointly;

Therefore, Be It Resolved by the House of Representatives, that the Speaker of the House of Representatives be authorized and directed to appoint two more members to represent the House on the said committee, and that the activities of the committee, by and with the consent of the Senate, be those of a joint investigating committee and that the work of the said committee be so conducted.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following bills were introduced, read first and second time and referred to committees:

House Bill No. 89, introduced by McLaughlin: A Bill for an Act entitled: "An Act to provide a bounty on gophers and provide the method of payment of the same." Referred to Committee on Townships and Counties.

House Bill No. 90, introduced by Kruse: A Bill for an Act entitled: "An Act to authorize the State Depository Board to permit the State Treasurer to retain unregistered warrants as a part of his cash volume." Referred to Committee on State Boards and Officers.

House Bill No. 91, introduced by Burris, Groene, Metlen, Southmayd, Holding, Padbury, Byrne, Boone and Mitchell: A Bill for an Act entitled: "An Act to amend Section 5138 of the Revised Codes of Montana, 1921, as amended by Section 1 of Chapter 135 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana, relating to the hours of work of members of paid fire departments of cities of the first class and second class, providing a minimum compensation for members of paid fire departments of cities of the first class, providing that members of paid fire departments of cities of the second class shall suffer no reduction in salary on account of the operation thereof, providing penalties for a violation thereof, and repealing all Acts or parts of Acts in conflict therewith." Referred to Committee on Labor.

House Bill No. 92, introduced by Mulholland, Holding, Monahan and Sexton: A Bill for an Act entitled: "An Act regulating the hours of labor of drivers and attendants of motor busses in the State of Montana; defining the term 'attendant' and fixing penalties for the violation of the provisions of this Act." Referred to Committee on Labor.

House Bill No. 93 introduced by Masterson: A Bill for an Act entitled: "An Act to amend Sections 1999 and 2000 of the Revised Codes of Montana of 1921 relating to the Classification of Taxable Property." Committee on Revenue and Taxation.

House Bill No. 94 introduced by Metlen: A Bill for an Act entitled: "An Act to authorize the erection or reconstruction by the State Board of Education of buildings for the Montana State Normal College to authorize the borrowing of money to pay for the construction or reconstruction of said buildings to issue bond and create a fund out of which the principal of and the interest upon the money so borrowed may be paid and to provide that the money so borrowed, shall not be and never shall become a charge against the State of Montana or a liability, debt or obligation of the State of Montana and declaring the existence of an emergency." Referred to Committee on State Institutions, Public Buildings and Grounds.

House Bill No. 95 introduced by Spiegel: A Bill for an Act entitled: "An Act to amend the Judicial Code; defining the jurisdiction and authority of courts of equity as to restraining orders or injunctions in cases arising out of labor disputes; defining 'Public Policy'; declaring an undertaking or promise in conflict with public policy to be unenforceable; allowing no injunction to be issued to prohibit persons doing certain Acts in labor disputes; allowing no injunction to be issued except after hearing in open court on mode of procedure; defining certain words and phrases arising in the Act; and repealing all Acts and parts of Acts in conflict therewith." Referred to Committee on Judiciary.

THIRD READING OF HOUSE BILLS

House Bill No. 47, introduced by Gordon and Lippard, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette,

Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 97.

Absent and not voting: Acher, Caldwell, Cusick, Hedden, Ritch. Total 5.

Mr. Speaker: 97 have voted "aye", none have voted "no". House Bill No. 47 has passed the House.

It was moved by Byrne, duly seconded and carried, that the House pass consideration of General Orders until the afternoon session.

The Speaker appointed the Flower Committee as follows: Harlen of Blaine, Chairman, Southmayd of Cascade and O'Connor of Carbon.

It was moved by Byrne, duly seconded and carried that the House recess until 2:00 o'clock P. M.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Haugan: A Bill for an Act entitled: "An Act to appropriate money for the refund of excessive inheritance tax collection by the State of Montana from Robert Duncan Forbes and directing the State Auditor to draw his warrants upon the General Fund and the Common School Equalization Fund of the State of Montana for payment thereof."

By Nutting: "A Memorial to the President of the United States, relative to the control of flood waters of the Yellowstone river."

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your committee appointed to attend the meeting of the Montana State Planning Board and Advisory Council on January 24th, beg leave to report that we appeared at said meeting and advise that the legislature enact such measures as will assist in the proper functioning of the said planning board and advisory council.

NUTTING,
HINERMAN,
COULTAS,
MANNING,
GOODWIN.

On motion of Nutting, report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 70, entitled: "An Act to amend Chapter 59 of the Montana Session Laws of 1933, relating to the fees of County Coroners," respectfully report as follows: That House Bill No. 70 do pass.

JACK BALLARD, Chairman.

On motion of Ballard, report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 68, entitled: "An Act to amend Section 1002 of Revised Codes of Montana, 1921, relative to the qualifications of electors at school elections," respectfully report as follows: That House Bill No. 68 do not pass.

HAIGHT, Chairman.

On motion of Haight, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration the motion by Haight of Fergus, relative to an investigation of certain criminal charges that have heretofore been made against Tom Carey, a member of the Board of Railroad Commissioners of the State of Montana, respectfully report as follows:

That it is the opinion of the Judiciary Committee that the House of Representatives of the Twenty-fourth Legislative Assembly have the legal right and authority to adopt the motion and to appoint a committee thereunder, for the purpose of making the investigation contemplated thereby.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Haight renewed his motion made in the morning session to investigate Tom Carey. Motion was carried.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF THE SAME

The following was introduced, read first and second time and referred to the Committee on Federal Relations.

House Joint Memorial No. 4, introduced by Ahlgreen and Lasby: A Memorial memorializing Congress that they take appropriate action to force the immediate resumption of work on the Polson Damsite by the United States.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

Green of Dawson in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 48, House Bill No. 11 and House Bill No. 60, recommend the following:

That House Bill No. 48 be passed for the day.

That House Bill No. 11 be passed for the day.

That House Bill No. 60 do pass.

GREEN, Chairman.

On motion of Green of Dawson, report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bill as correctly engrossed: House Bill No. 21.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed: H. B. No. 50 and H. B. No. 6.

McCAUSLAND, Chairman.

Without objection, report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following bills:

By White of Hill: A Bill for an Act entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Section 2 of Article IX of the Constitution of the State of Montana relating to the

qualification required of persons to entitle them to vote at general elections, for all officers elective by the people and upon questions that may be submitted to the vote of the people or electors."

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF THE SAME

The following was introduced, read first and second time and referred to the Committee on Judiciary.

House Bill No. 96, introduced by Toomey: A Bill for an Act entitled: "An Act concerning declaratory judgments and decrees and the powers of courts of record to declare rights, status and other legal relations thereby, defining the parties in such proceedings, providing for review of such judgments and decrees, supplemental, relief, jury trial, construction of this Act and to make uniform the law with reference thereto."

It was moved by Leavitt, duly seconded and carried, that the House adjourn until 10:30 o'clock A. M. Saturday morning, January 26, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

TWENTIETH DAY

House of Representatives,
Helena, Montana, January 26, 1935.

House convened, pursuant to adjournment, at 10:30 A. M.

Mr. Speaker in the Chair.

On roll call all members present except the following who were excused: Caldwell, Coultas, Leary, Minette and Ritch.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the 19th legislative day, find the same to be correct.

CLYDE J. QUIGLEY, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bill as correctly engrossed: House Bill No. 38.

EWING, Chairman.

Without objection, report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following bills:

By Cusick: A Bill for an Act entitled: "An Act to provide an additional gasoline dealers license tax, providing the amount and method of collection thereof and how the revenues derived therefrom will be distributed."

By O'Byrne, Spiegel, Mitchell, O'Brien and Mulholland: A Bill for an Act entitled: "An Act to amend and supplement Section 1999 and 2000 of the Revised Codes of Montana of 1921, relating to the classification of property for taxation and the basis for imposition of taxes."

By Lasby: A Bill for an Act entitled: "An Act relative to the qualifications of superintendents or principals of high schools."

By Fowler: A Bill for an Act entitled: "An Act to amend Sections Two (2) and Four (4) of Chapter Twenty (20) of the Laws of 1931 requiring that any board, council, commission, trustees or body acting for the state or any county or municipality or any public body, who shall contract with any person or corporation to do any work for the state, county, municipality or other public body, to require a good and sufficient bond therefor, and providing the terms, conditions and provisions of said bond, and prescribing the liability of the state or any county or municipality or public body for failure to take such bond and repealing all Acts and parts of Acts in conflict herewith."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration, House Bill No. 43, entitled: A Bill for an Act entitled: "An Act to provide for the continuation of the codification of the Revised Codes of Montana of 1935 and appropriating money therefor," respectfully report as follows: That House Bill No. 43 be amended as follows: That in line 17 of Section 3 on page 1, and line 1 of Section 3 on page 2 the words and figures "Eight Thousand Six Hundred Dollars (\$8600.00)" be stricken out and there be inserted in lieu thereof the words and figures "Seven Thousand Three Hundred Dollars (\$7300.00)";

That in lines 1 and 2 of Section 3 on page 2, the words "The payments shall be made monthly and pro-rated from January 1, 1935 through January 1, 1936" shall be stricken out and the words inserted "Payments shall be made from time to time as authorized and directed and approved by the Supreme Court over the period of time necessary for the completion of the work";

That in line 8 of Section 3 on page 2, the word and figures "Eight Thousand Six Hundred Dollars (\$8600.00)" be stricken out and there be inserted in lieu thereof the words and figures "Seven Thousand Three Hundred Dollars (\$7300.00)";

That in line 13 of Section 4 on page 2, the words and figures "Eight Thousand Six Hundred Dollars (\$8600.00)" be stricken out and there be inserted in lieu thereof the words and figures "Seven Thousand Three Hundred Dollars (\$7300.00)", and that the bill, as amended, do pass.

COMMITTEE ON APPROPRIATIONS,

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 73, entitled: "An Act amending Section 76 R. C. M. 1921, providing for the compensation of certain officers and employees of the Legislative Assembly, and repealing Chapter 99 of the Acts of the Twenty-third Legislative Assembly of Montana of 1933 and all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 73 do pass.

MULHOLLAND, Chairman.

On motion of Mulholland, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 67, entitled: "An Act prohibiting the charging and collecting of any tuition, enrollment, registration, matriculation or other fees, deposits, charges or exactions from students who are residents of the State of Montana, for attending the State University at Missoula, the College of Agriculture and Mechanic Arts at Bozeman, the School of Mines at Butte and the Normal College at Dillon, Billings and Havre, and

prescribing certain exceptions," respectfully report as follows: That House Bill No. 67 do not pass.

PETERSON OF VALLEY, Chairman.

It was moved by Peterson of Valley, duly seconded that the report be adopted.

On substitute motion, it was moved by Neary, duly seconded and carried, that the report be referred back to the Committee on Education.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration, House Bill No. 85, entitled: "An Act to amend Sections 1, 2, and 7 of Chapter 127 of the Session Laws of the Twenty-first Legislative Assembly 1929, and to amend Section 3, 9, 10 and 11 of Chapter 127 of the Session Laws of the Twenty-first Legislative Assembly 1929, as the same was amended by Chapter 18 of the Session Laws of the Twenty-second Legislative Assembly 1931, relating to barbers, and the occupation of barbering, and to barber shops, and to sanitary rules and regulations therefor; and as to the qualifications and registration of barbers, barber apprentices, students and barber schools or colleges; and for the issuance by the Board of Barber Examiners of licenses or permits to barbers, barber apprentices, students and to barber schools or colleges, and providing for the fees to be paid therefor, and for the renewal and cancellation thereof; and defining the occupation of barbering; and providing as to what constitutes a barber shop; and providing that a barber shop shall not be conducted in a dwelling or with another business except as defined and specified in this Act; and providing for the examinations of barbers by the Board of Barber Examiners, and the issuance of licenses therefor, and relating to the fees to be paid therefor; and for the approval of barber schools or colleges, and providing for the fees therefor; and providing for officers of the Board of Barber Examiners, their election and duties; and providing for an official seal for the Board of Barber Examiners, and for bonds of officers; and consolidating the office of Secretary and treasurer so that the same shall be held by one member of the board, and providing for the election of a vice-president of said board, and providing that wherever in this Act any moneys or fees are required to be paid to the secretary or to the board, the same shall be paid to the secretary and treasurer; and providing for the examination and inspection of barber shops; and providing for the appointment by the Board of Barber Examiners of an inspector or inspectors, and as to the compensation and duties of such inspector and inspectors and providing for certain police powers to be conferred upon members of the Board of Barber Examiners, and upon an inspector or inspectors appointed by such board; and prohibiting any person from practicing the occupation of a barber without first obtaining a license as provided for in this Act; and prohibiting any person knowingly employing a person to engage in the occupation of barbering who has not obtained such license; and prohibiting any person falsely pretending to practice the occupation of a barber who has not obtained such license; and providing a method for the cancellation or revocation of any certificate of registration or permit issued by said Board of Barber Examiners; and providing for the issuance of duplicate certificates and fees to be paid therefor; and providing a penalty for any person who fails to comply with the rules and regulations prescribed in this Act for the sterilization of tools, or fails to comply with the provisions of this Act with reference to the laundering of linen; and prescribing a penalty for any person who attempts to obtain a license for money other than the required fee; and prescribing the procedure upon failure to pass any examination to secure a permit or a re-examination; and to enact Section 7 providing for the term of office and appointment of members of the Board of Barber Examiners by the Governor; and to enact Section 8 providing for a penalty for the violation of provisions of this Act; and to enact Section 9 providing that if any portion of this Act is declared unconstitutional by a court of

competent jurisdiction it shall not affect the validity of the remainder of the Act," respectfully report as follows: That House Bill No. 85 do pass.
YORK, Chairman.

On motion of York, report adopted.

MOTIONS AND RESOLUTIONS

Without objection, Boone of Powell was given unanimous consent to introduce seventeen bills without previous notice.

Without objection, Committee on Revenue and Taxation was given an extension of time on House Bills No. 22 and 23.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF SAME

The following were introduced, read first and second time and referred to committees:

House Bill No. 97, introduced by Heavlin, entitled: A Bill for an Act entitled: "An Act to amend Section 8344, Revised Codes of Montana, 1921, relating to priority of mechanics' lien over mortgage." Referred to Committee on Banks and Banking.

House Bill No. 98, introduced by Lasby, Fowler, Smith, Haugan, Ahlgreen, Egan, Brennan and Chamberlain: A Bill for an Act entitled: "An Act creating the Montana Highway Patrol Commission, designating the members thereof, providing for the selection, qualification and duties of a chief patrol officer and patrolmen, defining certain offenses on the highways as menaces to the public health and safety, and fixing penalties for the infraction thereof; providing for state drivers' licenses; creating a highway patrol revolving fund from licenses and fines. Deeming this Act an emergency Act and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Public Safety.

With the unanimous consent of the House, the following bills were introduced, without previous notice, by the Judiciary Committee for the Code Commissioner:

House Bill No. 99, introduced by the Judiciary Committee, entitled: "An Act to amend Section 145 of the Revised Codes of Montana of 1921, relating to the fees of the Secretary of State, and to repeal Chapter 146 of the Revised Codes of Montana of 1921, also relating to the fees of the Secretary of State." Referred to Committee on Judiciary.

House Bill No. 100, introduced by the Judiciary Committee, entitled: "An Act to amend Section 2169 of the Revised Codes of Montana of 1921 as amended, relating to the duty of County Treasurer to publish notice of tax delinquency." Referred to Committee on Judiciary.

House Bill No. 101, introduced by the Judiciary Committee, entitled: A Bill for an Act entitled: "An Act to amend Section 503 of the Revised Codes of Montana of 1921, relating to the scope of Chapter 40 of the Political Code of the Revised Codes of Montana, dealing with official bonds." Referred to Committee on Judiciary.

House Bill No. 102, introduced by the Judiciary Committee, entitled: A Bill for an Act entitled: "An Act to legalize and make certain the names of the units of the University of Montana." Referred to Committee on Judiciary.

House Bill No. 103, introduced by the Judiciary Committee, entitled: A Bill for an Act entitled: "An Act to amend Chapter 1 of the Extraordinary Session of the Twenty-third Legislative Assembly of Montana of 1933, relating to the time and method of collecting taxes and the interest and penalty thereon." Referred to Committee in Judiciary.

House Bill No. 104, introduced by the Judiciary Committee, entitled: A Bill for an Act entitled: "An Act to repeal Sections 4640 through 4679, inclusive, of the Revised Codes of Montana of 1921, relating to the authority of counties to make seed grain loans in times of drought and other emergencies and providing for the administration thereof." Referred to Committee on Judiciary.

House Bill No. 105, introduced by the Judiciary Committee: A Bill for an Act entitled: "An Act to amend Section 2002 of the Revised Codes of Montana of 1921, relating to the time for making assessments." Referred to Committee on Judiciary.

House Bill No. 106, introduced by the Judiciary Committee, entitled: A Bill for an Act entitled: "An Act to amend Section 762 of the Revised Codes of Montana of 1921, relating to the manner of assisting electors unable to record vote upon the voting machine." Referred to Committee on Judiciary.

House Bill No. 107, introduced by the Judiciary Committee, entitled: "An Act to amend Sections 4933, 4936, 4941, and 4942 of the Revised Codes of Montana of 1921, relating to the mileage of jurors and witnesses." Referred to Committee on Judiciary.

House Bill No. 108, introduced by the Judiciary Committee: A Bill for an Act entitled: "An Act to amend Section 4951 of the Revised Codes of Montana of 1921 relating to the duty of the County Commissioners to audit county charges." Referred to Committee on Judiciary.

House Bill No. 109, introduced by the Judiciary Committee: A Bill for an Act entitled: "An Act to amend Section 7 of Chapter 51 of the Extraordinary Session of the Twenty-third Legislative Assembly of Montana of 1933, relating to the license tax on gross proceeds of electricity and electrical energy." Referred to Committee on Judiciary.

House Bill No. 110, introduced by the Judiciary Committee: A Bill for an Act entitled: "An Act to repeal Section 11252 of the Revised Codes of Montana of 1921, relating to traffic on bridges." Referred to Committee on Judiciary.

House Bill No. 111, introduced by the Judiciary Committee: A Bill for an Act entitled: "An Act to repeal Sections 4680 through 4711, inclusive, of the Revised Codes of Montana of 1921, relating to the authority of counties to incur indebtedness for the purpose of aiding their inhabitants who by reason of misfortune resulting from drought or other exigencies, have been rendered destitute or in need of aid and providing for the administration thereof." Referred to Committee on Judiciary.

House Bill No. 112, introduced by the Judiciary Committee: A Bill for an Act entitled: "An Act to amend Section 4 of Chapter 89 of the Session Laws of the Twenty-third Legislative Assembly of the State of Montana of 1933, relating to the codification of the Revised Codes of Montana of 1935." Referred to Committee on Judiciary.

House Bill No. 113, introduced by White of Hill: A Bill for an Act entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Section 2 of Article 9 of the constitution of the State of Montana relating to the qualifications required of persons to entitle them to vote at general elections, for all officers elective by the people and upon questions that may be submitted to the vote of the people or electors." Referred to Committee on Constitutional Amendments.

House Bill No. 114, introduced by Stromnes: A Bill for an Act entitled: "An Act to eliminate reckless and irresponsible drivers from the highways; providing for suspension of operators' and chauffeurs' licenses for certain offenses and conditions of renewal thereof and making it a duty of the clerk of the court, or the court where it has no clerk to forward a certified copy or transcript of judgment or order in the matter of

certain offenses against safety; making the registrar of motor vehicles the attorney of non-residents operating personally or by authorized agent any motor vehicle in Montana upon whom may be served all lawful processes and providing how service upon him may be made; defining proof of ability to respond in damages as required by this Act as certificates by insurance carrier or issuance of motor vehicle liability policy of insurance, the bond of certain surety companies or individual sureties holding real estate in Montana or deposit of money or collateral with State Treasurer, and providing certain regulations for carriers of insurance against loss from legal liability, and time of notice and manner of cancellation or expiration of any motor vehicle liability policy or surety bond; providing that such money or collateral shall be held to satisfy execution issued against person on judgment for damages arising out of ownership, maintenance, use or operation of motor vehicle and procedure to realize upon same; requiring registrar to furnish certified abstracts of operating records of any person subject to the provisions of this Act; also information pertaining to evidence of ability of operators or owners of motor vehicles to respond in damages; requiring any owner or operator of motor vehicle, in event of breaches of certain duties herein imposed, to return his operator's license, certificate of registration and number plates to the registrar upon the latter's request, and making it a misdemeanor to wilfully fail to do so and fixing the penalty therefor; fixing the terms and conditions upon which the registrar shall cancel such bond or return such proof of insurance or the treasurer shall return such money or collateral; forbidding transfer of certificates of registration or re-registration of certain motor vehicles in another's name to defeat purposes of this Act; making this Act non-applicable to certain automobile insurance against liability; providing penalty and punishment for forging, or without authority, signing any evidence of ability to respond in damages as required hereunder; defining 'motor vehicle liability policy' as used herein, and requiring certain provisions to be therein contained and the filing, before issuance of a copy of the form thereof, except in certain cases, with the Commissioner of Insurance for his approval or disapproval, and requiring the latter to specify in writing his reasons for not approving any form of policy, and further setting forth certain provisions every such motor vehicle liability policy shall be subject to, whether or not therein contained; defining the meaning of certain other words used herein and providing that the registrar shall make rules and regulations necessary for administration of Act." Referred to Committee on Highways.

House Bill No. 115, introduced by Whaley and Ballard: A Bill for an Act entitled: "An Act to amend Section 11 of Chapter 19 of the Session Laws of the Twentieth Legislative Assembly of Montana of 1927 relating to gasoline exempted from payment of the gasoline tax." Referred to Committee on Petroleum, Oil and Gas.

House Bill No. 116, introduced by Goodwin and Connors: A Bill for an Act entitled: "An Act establishing a State Old Age Pension Commission; providing for the payment of pensions; providing penalties for the violation of the Act; repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Insurance.

House Bill No. 117, introduced by O'Byrne, Spiegel and Mitchell: A Bill for an Act entitled: "An Act to be hereafter named and cited as the Old Age Insurance Act, creating the Old Age Insurance Commission, prescribing their duties as such and giving to said Old Age Insurance Commission power to employ a secretary and other employees and fix their salaries or compensation, and to make such rules and regulations as shall be necessary to carry out the provisions of this Act, providing certain persons over the age of fifty-five years may be granted Old Age Insurance, describing their qualifications therefor as to residence, character and property; creating the State Old Age Insurance Fund, providing for the re-payment to the Old Age Insurance Fund of all money paid in Old Age Insurance under certain conditions; providing the requirements to be made by the applicant be-

fore the Old Age Insurance may be collected; providing for Old Age Insurance Certificates, and renewal thereof; providing for payment of Old Age Insurance; providing that Old Age Insurance shall not be subject to assignment, sale attachment or execution; providing for cancellation of Old Age Insurance Certificates under certain conditions; providing that the funds for payment of Old Age Insurance shall be furnished or obtained from such source as the legislature may determine; providing for penalties for obtaining or aiding and abetting in obtaining Old Age Insurance through false representation or fraud; providing for the disqualification of applicants under certain conditions; providing that Old Age Insurance shall be paid from the State Old Age Insurance Fund; and providing for the reports of Old Age Insurance Commission to the legislature; and repealing Chapter 72, Session Laws 1923, and all Acts or part of Acts in conflict herewith." Referred to Committee on Insurance.

House Bill No. 118, introduced by Metlen: A Bill for an Act entitled: "An Act relating to actions quieting title to personal property; providing where such actions may be brought; and providing for the procedure which shall be made applicable thereto." Referred to Committee on Judiciary.

House Joint Memorial No. 5, introduced by Lasby: "A Memorial Memorializing Congress for the passage of appropriate legislation, providing that the United States shall establish a checking account system in the Postal Savings department of the Postal System of the United States." Referred to Committee on Federal Relations.

House Joint Memorial No. 6, introduced by Nutting: "A Memorial to the President of the United States of America requesting an investigation of Flood Control of the Yellowstone River." Referred to Committee on Conservation of Water and Flood Control.

THIRD READING OF HOUSE BILLS

It was moved by Byrne, duly seconded and carried, that bills on Third Reading be read by history, title and section numbers only.

House Bill No. 21, introduced by Parker, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Doe, Ecton, Egan, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Lasby, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker: Total 93.

Noes: Boone, Emmett, Kuhl, Stromnes. Total 4.

Absent and not voting: Caldwell, Coultas, Leary, Minette, Ritch. Total 5.

Mr. Speaker: 93 have voted "aye", 4 have voted "no." House Bill No. 21 has passed the House.

It was moved by Spiegel, duly seconded, that action on House Bill No. 38, which came up from Third Reading, be indefinitely postponed.

A roll call was demanded by the required number and the motion was carried by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Groene (Fergus), Haight, Hall, Harlen, Harwood, Haugan, Heavlin, Hedden, Hinerman, Joffray, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker: Total 89.

Noes: Green (Dawson), Stimatz. Total 2.

Absent and not voting: Buttelman, Caldwell, Coultas, Hamilton, Holding, Johnson, Leary, Metlen, Minette, Mundy, Ritch. Total 11.

Mr. Speaker: 89 have voted "aye", 2 have voted "no". The motion is carried.

It was moved by Byrne, duly seconded and carried, that consideration of General Orders be passed until the afternoon session.

It was moved by Mulholland, duly seconded, that the House reconsider its action on House Bill No. 38. Motion was lost.

The Speaker announced the following special committee to investigate Tom Carey, under motion made by Haight yesterday: O'Byrne, Chairman; Stevens, Haight, Monahan and Spiegel.

It was moved by Byrne, duly seconded and carried, that the House recess until 1:30 o'clock P. M.

AFTERNOON SESSION

House resumed, Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following bills:

By Stimatz: A Bill for an Act entitled: "An Act to amend Section 8344, Revised Codes of Montana, 1921, relating to priority of mechanics' lien over mortgage."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Institutions, Public Buildings and Grounds, having had under consideration House Bill No. 94, entitled: "An Act to authorize the erection or reconstruction by the State Board of Education of buildings for the Montana State Normal College, to authorize the borrowing of money to pay for the construction or reconstruction of said buildings, to issue bonds and create a fund out of which the principal of and the interest upon the money so borrowed may be paid and to provide that the money so borrowed, shall not be and never shall become a charge against the State of Montana or a liability, debt or obligation of the State of Montana and declaring the existence of an emergency," respectfully report as follows: That House Bill No. 94, do pass.

NEARY, Chairman.

On motion of Neary, report adopted.

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 7, entitled: "An Act to regulate the tenure of office of all persons appointed to state office by the appointing power under authority of law."

Respectfully report as follows: That House Bill No. 7 be amended as follows: Amend Section 1, by striking out in line 12 the word "only" and after the word "provided" and before the word "that" in said line 12 inserting the words, "that this provision shall not have application to appointments the tenure of which is fixed by the constitution, and provided:" after the word "requires" in line 14 by striking out the rest of said section and adding the following: "provided further that as respects the appointment of any officer or employee made by a state board under authority of law the same shall be considered terminated as of the date on which the members of such board voting for such appointment be reduced to a minority of such board; and provided further, that nothing herein contained shall be considered or construed to repeal or amend Section 831 of the Revised Codes of 1921, respecting the tenure of office of the appointive members of the State Board of Education." And as amended do pass.

GENE BURRIS, Chairman.

On motion of Burris, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

It was moved by Byrne, duly seconded and carried, that the messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Sullivan: A Bill for an Act entitled: "An Act to prohibit the use or operation of any motor vehicle upon the public highways of this state, without there first being obtained liability indemnity insurance upon and covering the said motor vehicle."

By Plank: A Bill for an Act entitled: "An Act to amend Section 10485 of the Revised Codes of Montana, 1921, relating to the payment of mother's pension allowance in the event of the conviction and imprisonment of the father of the family."

By Meyer: A Bill for an Act entitled: "An Act regulating the hours of labor of drivers and attendants of motor busses in the State of Montana; defining the term 'attendant' and fixing penalties for the violation of the provisions of this Act."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notice of introduction was this day received:

By Pauline and Holt: A Bill for an Act entitled: "An Act to amend Chapter 8 of the Acts of the Twenty-third Legislative Assembly of the State of Montana, relating to the letting of contracts by Boards of County Commissioners for the purpose of automobiles, trucks, vehicles, road, highway, or other machinery, apparatus, appliances, equipment, materials and supplies."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Resolution by Kelsey was this day introduced and on motion adopted:

Senate Resolution No. 3. Whereas, there is an apparent lack of coordination between the rulings and activities of the various relief agencies of the State and National Administration, and

Whereas, this condition is resulting in gross injustice and inequality in the actual granting of relief,

Now Therefore, Be It Resolved, That we the Senate of the State of Montana respectfully request that Dr. W. J. Butler, State Director of Relief, join with the Senate Committee on Relief and Social Welfare in a request that all of the administrators of these various relief agencies, and the House Committee on Relief and Social Welfare meet jointly with the committee of the Senate at as early a date as possible in an effort to secure closer coordination and more equitable administration.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Judiciary: That H. B. No. 16 be amended by inserting after the word "executed" in line 11, being line 2 of Section 1 of the original bill, line 1 of the printed bill, the words "to any vendor of real property or to his heirs, executors, administrators or assigns," and as so amended, recommend that said H. B. No. 16 be concurred in, report adopted.

Committee on Judiciary: That S. B. No. 35 do pass, report adopted.

Committee on Federal Relations: That H. J. M. No. 3 be concurred in report adopted.

Committee on Compensation: That S. B. No. 42 do pass, report adopted.

Committee on Public Morals: That H. B. No. 3 be amended by striking out in line 2 of the title thereof the word and figures, "Section 23";

Be further amended by striking out the word and figures, "Section 23" in line 1 of the printed bill and by adding after the word "repealed" in line 4 of the said printed bill, the following: "That any provision in said Chapter 105 relating to the permit authorized by the foregoing repealed sections shall be inoperative with the same force and to the same extent as if such provision did not appear in said Chapter 105."

And as so amended, recommend said H. B. No. 3 be concurred in, report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows, reports adopted:

Committee on Engrossed Bills: Reported S. B. No. 1 correctly engrossed.

Committee on Printing: Report Senate Bill No. 34 correctly printed.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time and referred to committees:

S. B. No. 40, by Kilduff and Kelsey: A Bill for an Act entitled: "An Act creating a Highway Patrol for the State of Montana which shall operate under the direction and supervision of the Maintenance Department of the State Highway Commission; providing for its organization, operation, regulation, powers and duties; providing for the expense and main-

tenance of same; providing for the disposition of fines and forfeitures collected in enforcing state highway statutes and regulations; providing penalties for the violation of this Act; and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Roads and Highways.

S. B. No. 41, by Garrison: A Bill for an Act entitled: "An Act relating to special improvement districts embracing territory situated in more than one county and authorizing the district to borrow money and issue bonds for the purpose of installing electric light plants and equipment necessary for the furnishing of electric lights and power and providing for the levy and collection of special assessments to pay for the same and to extend the payment of installment over a period of thirty years and authorizing improvement district to accept grants from the President of the United States and to enter into contracts and arrangements for the construction of public work." Referred to Committee on Counties and Towns.

S. B. No. 42, by Meyer and Pauline: A Bill for an Act entitled: "An Act to amend Section 2899 of the Revised Codes of Montana of 1921 relating to Workmen's Compensation." Referred to Committee on Compensation.

Respectfully,

C. J. McALLISTER,

Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that advice was received this day from His Excellency, the Governor, that he had this day approved Senate Joint Resolution No. 3.

Respectfully,

C. J. McALLISTER,

Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. B. No. 4 do pass.

That consideration of S. B. No. 6 be passed for the day.

That S. B. No. 7 do pass.

That S. B. No. 15 do pass.

That S. B. No. 17 be amended in Section 1 by striking out in line 8 the word, "special," and inserting in lieu thereof the words, "any district";

Be amended in Section 1 by striking out in lines 8 and 9 the words, "including those levied for the use of any irrigation or drainage district";

And as so amended, recommend said S. B. No. 17 do pass.

That S. B. No. 19 do pass.

That S. B. No. 20 do pass.

That consideration of S. B. No. 21 be indefinitely postponed.

That S. B. No. 23 do pass.

That S. B. No. 28 be amended in Section 1 by striking out in line 4, printed bill, the word "has" and inserting in lieu thereof the word, "have";

And as so amended, recommend said S. B. No. 28 do pass.

That S. B. No. 1 be amended in Section 1 by striking out in line 2, printed bill, the words which were added as an amendment to-wit: "contract, commission or fee";

Be amended in Section 1 by striking out in line 8, printed bill, after the word "salary," the words which were added as an amendment to-wit: "commission or fee."

Be amended in Section 2 by striking out in line 3, printed bill, after the word "employment" the amended words, "contract, business opportunity or method of gain."

Be amended in Section 2 by striking out in line 5, printed bill after the word "appointments" the amended words, "or benefits."

Be amended in Section 2 by striking out in line 15 the words added as an amendment "or benefits derived by";

Be amended in Section 2, line 5, by inserting after the word, "appointments," the word, "of";

And as so amended, recommend said S. B. No. 1 do pass.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion duly seconded and carried, Senate Bill No. 20 was segregated from the Committee of the Whole report of today and referred to General File for tomorrow.

On motion, duly seconded and carried, Senate Bill No. 1 was taken from Third Reading and re-referred to General File.

On motion, duly seconded and carried, House Bill No. 16 was taken from General File and re-referred to the Judiciary Committee.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion, duly seconded and carried, Senate Bill No. 6 was this day taken from General File and re-referred to the Committee on Banks and Banking.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Leavitt, duly seconded and carried, that House Bill No. 98 be taken from the Committee on Public Safety and re-referred to the Committee on Highways.

It was moved by Burris, duly seconded and carried, that House Bill No. 11 be taken from General Orders and be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills as correctly engrossed. House Bill No. 60.

EWING, Chairman.

Without objection, report adopted.

THIRD READING HOUSE BILLS

House Bill No. 60, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Boone, Brennan, Busch, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gray, Green (Dawson),

Hall, Harlen, Haugan, Heavlin, Hedden, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lippard, Lott, Lovell, McCausland, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ryan, Scofield, Sexton, Sherman, Smith, Stevens, Stromnes, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York. Total 73.

Noes: Haight, Hinerman, Neary, Spiegel, Stimatz, Mr. Speaker. Total 6.

Passed the vote: Burris. Total 1.

Absent and not voting: Bertsche, Buttelman, Caldwell, Coultas, Doe, Fowler, Gordon, Groene (Fergus), Hamilton, Harwood, Holding, Leary, Lemmer, Liggett, McLaughlin, Minette, Mundy, Parker, Ritch, Rolph, Southmayd, Toomey. Total 22.

Mr. Speaker: 73 have voted "aye", 6 have voted "no". House Bill No. 60 has passed the House.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for Consideration of General Orders.

CONSIDERATION OF GENERAL ORDERS

Leavitt of Custer in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 50 and 6, recommend the following:

That House Bill No. 6 be passed for the day.

That House Bill No. 50 be amended as follows: Amend Section 1 by striking out in line 5 of the printed bill, after the word "soldiers" the word "or" and in line 6 after the word "soldiers" the word "or" and inserting in lieu thereof after the word "sailors" in line 5 the words "or marines" and in line 6 after the word "sailors" the words "or marines"; amend Section 1, line 1 to conform to the title, namely, inserting after the word "that" "Section 1536 of the Revised Codes of Montana of 1921 as amended by and inserting after the word "the" the words "Session Laws of"; amend line four of the title by striking the word "and" before the word "sailors" insert a comma and add the words "or marines" after the word "sailors."

LEAVITT, Chairman.

On motion of Leavitt, report adopted.

It was moved by Byrne, duly seconded and carried, that House Bill No. 48 be re-referred to the Committee on Judiciary.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Miller of Big Horn, Scofield and Metlen: A Bill for an Act entitled: "An Act relating to the tenure of leases of state lands for grazing purposes, heretofore issued by virtue of the provisions of Chapter 42 of the Laws of 1933; providing for the extension thereof."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed: House Bills Nos. 70, 55, 54, 63, 53.

McCAUSLAND, Chairman.

Without objection, report adopted.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Monday afternoon at 2:00 o'clock P. M., January 28th, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

TWENTY-SECOND DAY

House of Representatives,
Helena, Montana, January 28th, 1935.

House convened, pursuant to adjournment, at 2:00 o'clock P. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present, except the following who were excused: Caldwell.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the twentieth legislative day, find the same to be correct.

CLYDE J. QUIGLEY, Chairman.

Without objection, report adopted.

Mr. Speaker: We: your Committee on Printing, beg leave to report the following bills correctly printed: House Bills Nos. 61 and 62 and House Resolution No. 3.

McCAUSLAND, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills as correctly engrossed. House Bill No. 50.

EWING, Chairman.

Without objection, report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following bills:

By Haight: A Bill for an Act entitled: "An Act to amend Section One (1) and Three (3) of Chapter 51 of the Session Laws of the Extraordinary Session of the Twenty-third Legislative Assembly relating to a certain license tax on electrical energy and fixing the amount of such tax."

By O'Byrne, Spiegel, Emmons, Neary: A Bill for an Act entitled: "An Act to amend Section 2870 Revised Codes of Montana of 1921, Relative to the definition of the word injury; to amend Section 2899 Revised Codes of Montana 1921, relative to the time within which claims for compensation must be presented; to amend Section 2933 Revised Codes of Montana 1921, relative to notice of claims for injuries; and relative to including occupational diseases within the terms of the Workman's Compensation Act."

By Anderson and Quigley: A Bill for an Act entitled: "An Act to amend Section 9629, Revised Codes of Montana of 1921, relating to appearances in Justice Court."

By Lasby: A Bill for an Act entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Article 11, Section 11, relating to the State Board of Education and providing for their election."

By Ahlgreen: A Bill for an Act entitled: "An Act to amend Section 1998, Revised Codes of Montana, 1921, relating to exemption from taxation."

By Ahlgreen: A Bill for an Act entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Article 12, Section 2, relating to revenue and taxation, providing that improvements on land other than city and town lots be exempt from taxation."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 37, entitled: "An Act providing that all materials, goods, supplies, etc., purchased by the State of Montana for use in its institutions, boards, commissions, offices, etc., shall be the product of Union Labor and bear the Union Label of any organization affiliated with or recognized by the American Federation of Labor, and providing penalty for violation and not affecting Section 260 and 261, Revised Codes of Montana, 1921."

Respectfully report as follows: That House Bill No. 37 be amended as follows: In line 16 of Section 1, after the word, "shall," insert the words, "whenever possible." In line 16 of Section 1, after the words, "union labor," all of the lines 17, 18, 19 and 20 be stricken out and the following inserted: "affiliated with, or recognized by the American Federation of Labor, and shall whenever possible bear the Union Label or a certificate of Union Labor; provided, however, nothing in this Act shall be construed as applying to the purchase by the state, or any of its institutions, of any materials, goods, or supplies of any kind produced by the state itself or by any of its institutions; and provided, further, that any officer, agent, or employee of the State of Montana who shall purchase any such materials, goods, or supplies by bid shall accept any bid by a resident person, association, or corporation of the State of Montana as the lowest bid provided such bid be not more than five per cent (5) higher than the lowest bid of any eligible bidder non-resident of Montana." And as amended do pass.

MULHOLLAND, Chairman.

On motion of Mulholland, report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 1, entitled: "Relating to Old Age Pensions."

Respectfully report as follows: That House Joint Memorial No. 1 is reported without recommendation.

STEVENS, Chairman.

On motion of Stevens, report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 2, entitled: "Memorial to the Congress of the United States requesting the speedy consideration of the several Old Age Pension plans and proposals now pending before the Congress, specifically including the measure introduced by Representative Joseph Monaghan of Montana and the Townsend Old Age Pension Plan, with a view to enactment of such measures into law to provide a comprehensive Old Age Pension plan and system throughout the United States of America," respectfully report as follows: That House Joint Memorial No. 2 is reported without recommendation.

STEVENS, Chairman.

On motion of Stevens, report adopted.

It was moved by Fowler, duly seconded and carried, that House Joint Memorials Nos. 1 and 2 be printed and placed on General Orders.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration, Senate Joint Resolution No. 2, entitled: "A Resolution Memorializing the Congress of the United States for the passage of legislation for the creation and establishment of a pension benefit to be paid to all persons over the age of sixty years," respectfully report as follows: That Senate Joint Resolution No. 2 is reported without recommendation.

STEVENS, Chairman.

On motion of Stevens, report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Resolution No. 3, entitled: "A Resolution requesting the enactment by Congress of the Lundeen Bill, which provides for the establishment of unemployment and social insurance," respectfully report as follows: That House Resolution No. 5 do pass.

STEVENS, Chairman.

On motion of Stevens, report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 5, entitled: "Memorial memorializing Congress for the passage of appropriate legislation, providing that the United States shall establish a checking account system in the Postal Savings department of the Postal System of the United States," respectfully report as follows: That House Joint Memorial No. 5 do pass.

STEVENS, Chairman.

On motion by Stevens, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that Substitute House Bill No. 10 be re-referred to the Committee on Judiciary.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following were introduced, read first and second time and referred to Committee; all appropriation measures having been read at length:

House Bill No. 119, introduced by Stimatz: A Bill for an Act entitled: "An Act to amend Section 8344, Revised Codes of Montana, 1921, relating to priority of mechanics' lien over mortgage." Referred to Committee on Labor.

House Bill No. 120, introduced by Public Health and Sanitary Affairs, by request: A Bill for an Act entitled: "An Act to define osteopathy and to authorize and regulate the practice of osteopathic physicians and osteopathic surgeons and to provide penalties for the violation of this Act, and to repeal Section 3125 to 3137 inclusive of the Revised Codes of Montana of 1921 and Chapter 79 of the Session Laws of 1925, and all Acts and parts of Acts in conflict herewith." Referred to Committee on Public Health and Sanitary Affairs.

House Bill No. 121, introduced by Cusick: A Bill for an Act entitled: "An Act to amend Section 1760 of the Revised Codes of the State of Montana for the year 1921, amended by Chapter Thirty-eight, Laws of the Extraordinary Session of the Twenty-third Legislative Assembly, relating to the registration and registration fees of motor vehicles and dealers thereof and distribution of the revenues received therefrom." Referred to Committee on Highways.

House Bill No. 122, introduced by Lasby: A Bill for an Act entitled: "An Act relative to the qualifications of superintendents or principals of high schools." Referred to Committee on Education.

House Bill No. 123, introduced by Haugan: A Bill for an Act entitled: "An Act to appropriate money for the refund of excessive inheritance tax collection by the State of Montana from Robert Duncan Forbes and directing the State Auditor to draw his warrants upon the general fund and the common school equalization fund of the State of Montana for payment thereof." Referred to Committee on Appropriations.

House Bill No. 124, introduced by Miller of Big Horn, Scofield, Metlen: A Bill for an Act entitled: "An Act relating to the tenure of leases of state lands for grazing purposes, heretofore issued by virtue of the provisions of Chapter 42 of the Laws of 1933; providing for the extension thereof." Referred to Committee on State Lands.

House Bill No. 125, introduced by Fowler: A Bill for an Act entitled: "An Act to amend Sections Two (2) and Four (4) of Chapter Twenty (20) of the Laws of 1931 requiring that any board, council, commission, trustees or body acting for the state or any county or municipality or any public body, who shall contract with any person or corporation to do any work for the state, county, municipality or other public body, to require a good and sufficient bond therefor, and providing the terms, conditions and provisions of said bond, and prescribing the liability of the state or any county or municipality or public body for failure to take such bond and repealing all Acts or parts of Acts in conflict herewith." Referred to Committee on State Boards and Officers.

House Bill No. 126, introduced by O'Byrne and Cusick: A Bill for an Act entitled: "An Act to provide an additional gasoline dealers' license tax, providing the amount and method of collection thereof and how the revenues derived therefrom will be distributed." Referred to Committee on Revenue and Taxation.

House Bill No. 127, introduced by Toomey: A Bill for an Act entitled: "An Act relating to machine guns, and their association with crime of violence as herein defined, providing presumptions respecting the use or possession thereof, search warrants for machine guns, registration of the same, and to make uniform the law with reference thereto." Referred to Committee on Public Safety.

House Bill No. 128, introduced by O'Byrne, Spiegel, Mitchell, O'Brien, Mulholland: A Bill for an Act entitled: "An Act to amend and supplement Section 1999 and 2000 of the Revised Codes of Montana of 1921, relating to the classification of property for taxation and the basis for imposition of taxes." Referred to Committee on Revenue and Taxation.

THIRD READING OF HOUSE BILLS

House Bill No. 50, having been read three several times, history and title agreed to was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Doe, Ecton, Egan, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelley, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker: Total 97.

Absent and not voting: Acher, Caldwell, Coultas, Hamilton, Stromnes. Total 5.

The Speaker: 97 have voted "aye"; none have voted "no". House Bill No. 50 has passed the House.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that House Joint Resolution No. 3 be placed on General Orders.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs having had under consideration House Bill No. 87, entitled: "An Act establishing the State Board of Dental Examiners of the State of Montana, and specifying the qualifications, term of office and compensation, and providing for the appointment of the members of the board, prescribing the powers and duties of said board, specifying the qualifications of applicants for licenses to practice dentistry and dental hygiene within the State of Montana, providing for the examination of such applicants, defining and regulating the practice of dentistry within the State of Montana, prohibiting the practice of dentistry without a license and providing penalties for the violation of this Act, defining and prohibiting unprofessional conduct of dentists and specifying the grounds and procedure for the revocation of licenses and further prescribing penalties for the violation of this Act in such particulars and repairing Sections 3105, 3106, 3107, 3108, 3109, 3110, 3111, 3112, 3113, 3114, and 3115 of Revised Codes, Montana 1921, being Chapter 222, Part III, Political Code of the State of Montana, and all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 87 do pass.

YORK, Chairman.

On motion of York, report adopted.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF THE SAME

The following bill was introduced, read first and second time and referred to the Committee on Revenue and Taxation.

House Bill No. 129, introduced by Stevens: A Bill for an Act entitled: "An Act to amend Sections 5 and 10 of Chapter 155 of the Laws of the Twenty-third Legislative Assembly of the State of Montana relating to the operation, maintenance, opening or establishment of stores in this state, prescribing the license and filing fees to be paid therefor, and the disposition thereof, and the powers and duties of the State Board of Equalization in connection therewith, and prescribing penalties for the violation thereof, said amendment being for the purpose of changing the fees and the disposition thereof."

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

CONSIDERATION OF GENERAL ORDERS

Lott of Madison in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 6, 53, 54, 55, 63, 70 and 62 and House Joint Resolution No. 3, recommend the following:

That House Bill No. 6 be re-referred to the Committee on Public Morals, Charities and Reforms.

That House Bill No. 53 be amended as follows: By adding a new Section as follows; "Section 4. This Act shall be in full force and effect immediately upon its passage and approval," and that House Bill No. 53 do pass as amended.

That House Bill No. 54 be passed for the day.

That House Bill No. 55 be passed for the day.

That House Joint Resolution No. 3 do pass.

That House Bill No. 63 be amended to read as follows: At the beginning of line 3 of Section 1 of the printed bill, insert the word and figures, "Section 7726" and amend Section 1, line 1 of the printed bill by adding the word and figures, "of 1921" after the word "Montana" and as amended, do pass.

That House Bill No. 70 be amended as follows: Amend Section 1, line 1 of the printed bill after the figures "1921" the words "as amended by Chapter 59 of the Twenty-third Legislative Assembly" and amend the title by striking out in line one of the printed bill the words "An Act to amend" and inserting in lieu thereof the words "An Act to amend Section 4922 as amend by" and as amended do pass.

That H. B. No. 62 be passed for the day.

LOTT, Chairman.

On motion of Lott, report adopted.

Without objection, the Committee on Labor was given an extension of time on House Bills Nos. 42, 28, 29 and 59.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Tuesday morning, January 29, 1935, at 10:30 A. M.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

TWENTY-THIRD DAY

House of Representatives,
Helena, Montana, January 29, 1935.

House convened, pursuant to adjournment, at 10:30 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present except the following who were excused: Caldwell.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twenty-second Legislative day, find the same to be correct.

CLYDE J. QUIGLEY, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills as correctly engrossed: House Bill No. 63.

EWING, Chairman.

Without objection, report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following bills:

By Mitchell and Ryan: A Bill for an Act entitled: "An Act creating a fund to be known as the volunteer firemen's compensation fund; declaring such fund to be a trust fund and providing for the disposition of interest thereon; providing for the payment from said fund of compensation for disabilities received by members of regularly organized fire companies in unincorporated towns and cities; providing the amount of compensation payable; providing for the filing of claims for disability; providing the administration of such fund by the Industrial Accident Board of the State of Montana; amending Section 2761 Revised Codes of Montana, 1921, to provide for transfer of unused funds of State Fire Marshal Fund into volunteer firemen's compensation fund; providing penalties for filing of false claims; and repealing all Acts and parts of Acts in conflict herewith."

By Stromnes: A Bill for an Act entitled: "An Act defining the duration of liens of mortgages upon real estate, and the manner of the extension thereof, and amending Section 8267, of the Revised Codes of Montana of 1921 as amended by Chapter 104 of the Session Laws of the Twenty-third Legislative Assembly of the State of Montana of 1933."

By Lemmer: A Bill for an Act entitled: "An Act relating to licenses for hunting and taking fish within the State of Montana."

By Committee on Fish and Game: A Bill for an Act entitled: "An Act to amend Section 3653, Revised Codes of Montana, 1921, relating to the powers and duties of the State Fish and Game Commission."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 36, entitled: "An Act to provide for a farm laborers lien and to provide for the filing and foreclosure of said liens," respectfully report as follows: That House Bill No. 36 do not pass, but that Substitute House Bill No. 36 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 90, entitled: "An Act to authorize the State Depository Board to permit the State Treasurer to retain unregistered warrants as a part of his cash volume," respectfully report as follows: That House Bill No. 90 do pass.

BURRIS, Chairman.

On motion of Burris, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 96, entitled: "An Act concerning declaratory judgments and degrees and the powers of courts of record to declare rights, status and other legal relations thereby," respectfully report as follows: That House Bill No. 96 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Juriciary, having had under consideration House Bill No. 112, entitled: "An Act to amend Section 4 of Chapter 89 of the Session Laws of the Twenty-third Legislative Assembly of the State of Montana of 1933, relating to the codification of the

Revised Codes of Montana of 1935," respectfully report as follows: That House Bill No. 112 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 111, entitled: "An Act to repeal Sections 4680 through 4711, inclusive of the Revised Codes of Montana of 1921, relating to the authority of counties to incur indebtedness for the purpose of aiding their inhabitants who by reason of misfortune resulting from drought or other exigencies, have been rendered destitute or in need of aid and providing for the administration thereof," respectfully report as follows: That House Bill No. 111 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 110, entitled: "An Act to repeal Section 11252 of the Revised Codes of Montana of 1921, relating to Traffic on Bridges," respectfully report as follows: That House Bill No. 110 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 109, entitled: "An Act to amend Section 7 of Chapter 51 of the Extraordinary Session of the Twenty-third Legislative Assembly of Montana of 1933, relating to the license tax on gross proceeds of electricity and electrical energy," respectfully report as follows: That House Bill No. 109 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 108, entitled: "An Act to amend Section 4951 of the Revised Codes of Montana of 1921 relating to the duty of the County Commissioners to audit county charges," respectfully report as follows: That House Bill No. 108 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 107, entitled: "An Act to amend Sections 4933, 4936, 4941 and 4942, of the Revised Codes of Montana of 1921, relating to the mileage of jurors and witnesses," respectfully report as follows: That House Bill No. 107 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 106, entitled: "An Act to amend Section 762 of the Revised Codes of Montana of 1921, relating to the manner of assisting electors unable to record vote upon the voting machine," respectfully report as follows: That House Bill No. 106 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 105, entitled: "An Act to amend Section 2002

of the Revised Codes of Montana of 1921, relating to the time for making assessments," respectfully report as follows: That House Bill No. 105 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 104, entitled: "An Act to repeal Sections 4640 through 4679, inclusive, of the Revised Codes of Montana of 1921, relating to the authority of counties to make seed grain loans in times of drought and other emergencies and providing for the administration thereof," respectfully report as follows: That House Bill No. 104 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 103, entitled: "An Act to amend Chapter 1 of the Extraordinary Session of the Twenty-third Legislative Assembly of Montana of 1933, relating to the time and method of collecting taxes and the interest and penalty thereon," respectfully report as follows: That House Bill No. 103 do pass,

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 102, entitled: "An Act to legalize and make certain the names of the units of the University of Montana," respectfully report as follows: That House Bill No. 102 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 101, entitled: "An Act to amend Section 503 of the Revised Codes of Montana of 1921, relating to the scope of Chapter 40 of the Political Code of the Revised Codes of Montana, dealing with official bonds," respectfully report as follows: That House Bill No. 101 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 100, entitled: "An Act to amend Section 2169 of the Revised Codes of Montana of 1921 as amended, relating to the duty of County Treasurer to publish notice of tax delinquency," respectfully report as follows: That House Bill No. 100 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 99, entitled: "An Act to amend Section 145 of the Revised Codes of Montana of 1921, relating to the fees of the Secretary of State, and to repeal Chapter 146 of the Revised Codes of Montana of 1921, also relating to the fees of the Secretary of State," respectfully report as follows: That House Bill No. 99 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR
AND THE SENATE

It was moved by Byrne, duly seconded and carried, that the messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Printing: Reported S. J. R. No. 4 correctly printed, report adopted.

Committee on Engrossed Bills: Reported the following Senate Bills correctly engrossed: Senate Bills Nos. 1, 4, 7, 15, 17, 19, 23 and 28, report adopted.

Committee on Banks and Banking: That S. B. No. 39 do pass, report adopted.

Committee on Education: That S. B. No. 31 do pass. Report adopted.

Committee on Taxation: That S. B. No. 25 be amended in the title by inserting in line 11, after the figure "1931" and before the word "which" the following: "or under the provisions of Chapter 24 of the Extraordinary Session of the Twenty-third Legislative Assembly"; be amended in Section 1, line 23, after the figure "1931" and before the word "not", by inserting the following: "or under the provisions of Chapter 24 of the Extraordinary Session of the Twenty-third Legislative Assembly." And as so amended, recommend said S. B. No. 25 do pass, report adopted.

Committee on Oil and Leases: That S. B. No. 2 be amended by striking out in lines 6 and 7 of the title the words, "County Attorney," and inserting in lieu thereof the words, "Attorney General when complaint is made to him," and by placing a semi-colon after the word "Act" in line 7 of the title and inserting immediately following said semi-colon the words, "authorizing verdict in civil action for actual as well as exemplary damages for violation of the Act."

Amend by striking out in line 32 of Section 1, page 1, the words "proved as a", and inserting in lieu thereof the words, "offered as a matter of defense or."

Amend by striking out all of Section 4, pages 2 and 3, and inserting in lieu thereof the following:

"Section 4. If complaint shall be made to the Attorney General that any person, firm, company, association or corporation is guilty of discrimination as defined by this Act, he shall forthwith investigate such complaint, and for that purpose he shall subpoena witnesses, administer oaths, take testimony, and require the production of books or other documents, and if, in his opinion, sufficient grounds exist therefor, he shall prosecute an action in the name of the state in the proper court to annul the charter or revoke the permit or license of such person, firm, company, association or corporation as the case may be, and to permanently enjoin such person, firm, company, association or corporation from doing business in this state, and if, in such action, the court shall find that such person, firm, company, association or corporation is guilty of discrimination as defined by this Act, such court shall annul the charter or revoke the permit or license of such person, firm, company, association or corporation, and may permanently enjoin it or them from transacting business in this state."

And as amended, recommend said S. B. No. 2 do pass, report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced in the Senate, read first and second time, and referred to committees:

H. B. No. 21, by Parker—Committee on Elections and Privileges.

H. B. No. 47, by Gordon and Lippard—To Committee on Elections and Privileges.

H. B. No. 60, by Groene of Fergus—To Committee on Banks and Banking.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time, and referred to committees.

S. B. No. 43, by Meyer: A Bill for an Act entitled: "An Act to repeal Chapter 12 of the Session Laws of the Twenty-third Legislative Assembly, 1933, defining nepotism and preventing such practice in the State of Montana and prescribing a penalty therefor." Referred to Committee on Judiciary.

S. B. No. 44, by Meyer: A Bill for an Act entitled: "An Act to amend Section 8814 of the Revised Codes of Montana, 1921, relating to the annual salary of the District Judges." Referred to Committee on Judiciary.

S. B. No. 45, by Meyer, Hammond, Putnam, Anderson and Plumer: A Bill for an Act entitled: "An Act requiring all banks doing business in the State of Montana to furnish an annual report of unclaimed deposits on the first day of March of each year after the passage and approval hereof to the Superintendent of Banks and providing for the publication of the names and addresses of each person and providing for an examination by the Bank Examiner of the books of the bank at least thirty days prior to March first of each year for the purpose of discovering all unclaimed deposits in either a general checking saving account or otherwise or held upon certificates of deposit or in any other way by said banks and being unclaimed for a period of seven years or more prior to March first of each year and providing further for the payment of all funds unclaimed deposits for said period of time into State Treasury and upon proper distribution into the County Treasury where said bank or banks may be situated to be paid into a fund known as the Old Age Pension Fund and upon the failure of an Old Age Pension Fund to be divided equally between the Mother's Pension Fund and the Widow's Pension Fund." Referred to Committee on Banks and Banking.

S. B. No. 46, by Meyer: A Bill for an Act entitled: "An Act regulating the hours of labor of drivers and attendants of motor busses in the State of Montana; defining the term 'attendant' and fixing penalties for the violation of the provisions of this Act." Referred to Committee on Roads and Highways.

S. B. No. 47, by Simmons: A Bill for an Act entitled: "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section Seven of Article Five of the Constitution of the State of Montana, relating to Senators and Representatives." Referred to Committee on Elections and Privileges.

S. B. No. 48, by Plank: A Bill for an Act entitled: "An Act to amend Section 10485 of the Revised Codes of Montana, 1921, relating to the payment of Mother's Pension allowance in the event of the conviction and imprisonment of the father of the family." Referred to Committee on Judiciary.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion, duly seconded and carried, House Bill No. 3 was this day taken from General File and referred to the Judiciary Committee.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Oliver: A Bill for an Act entitled: "An Act to permit real property to be redeemed from tax sale by paying the original tax, provided such original taxes be paid on or before December first, 1936, and extending the time of taking tax deed to December first, 1936."

By Oliver: A Bill for an Act entitled: "An Act relating to the closed season for deer, elk and antelope in Fallon and Carter counties, State of Montana, providing for the power and duties of the Montana Fish and Game Commission relating to the provisions of this Act; making the violation of this Act a misdemeanor and providing a penalty for such violation, and repealing all Acts and parts of Acts in conflict herewith."

By Holton: A Bill for an Act entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Sections 6, 7, 8, 9, 10 and 11 of Article XXI of the Constitution of the State of Montana relating to the investment and administration as separate and integral funds of the Montana Trust and Legacy Fund, the Public School Permanent Fund, the other permanent funds originating in land grants from the United States for the support of higher institutions of learning, and other funds."

By Wass and Danielsen: A Bill for an Act entitled: "An Act relating to the registration of motor vehicles; requiring the Registrar of Motor Vehicles of the State of Montana to furnish automobile license plates to the several County Treasurers of the state in sufficient estimated quantities to supply the needs of each county; authorizing the issuance of license plates by County Treasurers upon direction of the Registrar of Motor Vehicles and repealing all Acts and parts of Acts in conflict herewith."

By Putnam: A Bill for an Act entitled: "An Act amending Chapter One Hundred and Two (102) of the 1933 Session Laws of the State of Montana and defining the offense of kidnapping and prohibiting the payment of a ransom to kidnappers and relating to the trial of same and the punishment therefor and to repeal Sections 10970, 10971 and 10972 of the Revised Codes of Montana of 1921 in relating to kidnapping."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. B. No. 20 be amended by adding after the words, "Be it enacted by the Legislative Assembly of the State of Montana." the following:

Section 1. "That Section 1 of Chapter Six (6) of the Session Laws of the Twenty-third Extraordinary Session 1933-34 of the Laws of Montana, be amended to read as follows:"

Be amended in Section One by adding in line 1, printed bill, and line 16, original bill, before the word, "Section," quotation marks (") and also

by adding quotation marks (") after the word "thereof" in line 13, printed bill, and line 31 of the original bill.

And as so amended, recommend said S. B. No. 20 do pass.

That S. B. No. 34 do pass.

That S. J. R. No. 4 do pass.

That H. B. No. 16 be amended in Section 1 by inserting in line 2, printed bill, after the second word "of" and before the word "real," the word, "such."

And as so amended, recommend said H. B. No. 16 be concurred in.

That H. J. M. No. 3 be concurred in.

Report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, history and title agreed to, and bills are herewith transmitted to the House for concurrence:

S. B. No. 1, by Parkin and Melton.

S. B. No. 4, by Simmons.

S. B. No. 7, by Committee on Banks and Banking.

S. B. No. 15, by Meyer, Nass, Hammond, Putnam, Clifford, Angvick, Kalberg, Plumer, Blankenbaker.

S. B. No. 23, by Committee on Banks and Banking.

S. B. No. 17, by Larson.

S. B. No. 19, by Committee on Federal Relations.

S. B. No. 28, by Ekegren and Arnold.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that House Bills Nos. 54 and 55 be taken from General Orders and re-referred to the Committee on Horticulture.

It was moved by Parker, duly seconded and carried, that the clerk be instructed to have a status sheet prepared showing the status of all bills.

It was moved by Minette, duly seconded and carried, that House Bill No. 115 be taken from the Committee on Petroleum, Oil and Gas and re-referred to the Committee on Highways.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following were introduced, read first and second time and referred to committees:

Senate Bill No. 1, introduced by Parkin and Melton: A Bill for an Act entitled: "An Act to clarify existing laws and declare the policy of the state respecting the eligibility for appointment of members of the Legislative Assembly to state offices or as employees of the state during the term for which they shall have been elected." Referred to Committee on State Boards and Officers.

Senate Bill No. 7, introduced by Committee on Banks and Banking: A Bill for an Act entitled: "An Act to authorize corporations, banks, trust companies, investment companies, and other financial institutions approved

as mortgagees to obtain insurance under the provisions of Title II of an Act of Congress entitled 'National Housing Act,' approved by the President on June 27, 1934, and any amendments thereto, now or hereafter made, to make such loans or real estate as are insured, or under a commitment made to insure, pursuant to Title II of said Act." Referred to Committee on Banks and Banking.

Senate Bill No. 15, introduced by Meyer, Nass, Hammond, Putnam, Clifford, Angvick, Kalberg, Plumer, Blankenbaker: A Bill for an Act entitled: "An Act providing for the amount of insurance to be paid upon the destruction of property by fire, tornado or lightning and fixing a method how the true value of the property insured shall be determined and defining what shall be considered as prima facie evidence of ownership of the property and what may be set up as defense thereto." Referred to Committee on Insurance.

Senate Bill No. 17, introduced by Larson: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 71 of the Acts of the Eighteenth Legislative Assembly of the State of Montana; relating to the collection of taxes and assessments levied for irrigation district, and drainage district purposes and requiring County Treasurers to collect, receive and receipt for such irrigation district and drainage district taxes and assessments at the same time and upon the same receipt as taxes levied upon real property for county purposes." Referred to Committee on Irrigation and Water Rights.

Senate Bill No. 18, introduced by Holton and Oliver: A Bill for an Act entitled: "An emergency Act relating to taxation, providing for the payment in installments of taxes and assessments delinquent and unpaid on December 1, 1934, and repealing Chapter 45 of the Acts of the Extraordinary Session of the Twenty-third Legislative Assembly of Montana and all other Acts and parts of Acts in conflict herewith." Referred to Committee on Revenue and Taxation.

Senate Bill No. 23, introduced by Committee on Banks and Banking: A Bill for an Act entitled: "An Act to amend Section 20 of Chapter 89 of the laws of the Twentieth Legislative Session of the State of Montana, as amended by Section 2 of Chapter 145 of the Twenty-second Legislative Assembly of the State of Montana; relating to the dissolution and disincorporation of State Banks." Referred to Committee on Banks and Banking.

Senate Bill No. 4, introduced by Simmons: A Bill for an Act entitled: "An Act relating to the closed season for deer and elk in Carbon County, State of Montana; providing for the powers and duties of the Montana State Fish and Game Commission relative to the provisions of this Act; making the violation of this Act a misdemeanor and providing a penalty for such violation, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Fish and Game.

Senate Bill No. 28, introduced by Ekegren and Arnold: A Bill for an Act entitled: "An Act relating to the preservation of chattel mortgages and authorizing the destruction of mortgages by the County Clerk and Recorder after the lapse of the time designated in this Act." Referred to Committee on Judiciary.

Substitute House Bill No. 36, introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act to provide for a farm laborers lien and to provide for the filing and foreclosure of said liens." Referred to Committee on Printing.

House Bill No. 130, introduced by Anderson and Quigley: A Bill for an Act entitled: "An Act to amend Section 9629, Revised Codes of Montana of 1921, relating to appearances in Justice Court." Referred to Committee on Judiciary.

House Bill No. 131, introduced by Ahlgreen: A Bill for an Act entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Article 12, Section 2, relating to Revenue and Taxation, providing that improvements on land other than city and town lots be exempt from taxation." Referred to Committee on Constitutional Amendments.

House Bill No. 132, introduced by Ahlgreen: A Bill for an Act entitled: "An Act to amend Section 1998 Revised Codes of Montana, 1921, relating to exemption from taxation." Referred to Committee on Revenue and Taxation.

House Bill No. 133, introduced by Lemmer: A Bill for an Act entitled: "An Act to amend Section 3651 of the Revised Codes of Montana, 1921, relating to the membership and terms of the State Fish and Game Commission, said amendment relating to the removal and appointment of such commission by the Governor." Referred to Committee on State Boards and Officers.

House Bill No. 134, introduced by Lasby: A Bill for an Act entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Article 11, Section 11, relating to the State Board of Education and providing for their election." Referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bill No. 70, House Joint Resolution No. 3, and House Bill No. 53.

EWING, Chairman.

Without objection, report adopted.

THIRD READING OF HOUSE BILLS

House Bill No. 63, having been read three several times, history and title agreed to was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Burris, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Green (Dawson), Haight, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 88.

Noes: Boone, Busch, Groene (Fergus), Hall, Joffray, Worden. Total 6.

Absent and not voting: Caldwell, Coultas, Gray, Hamilton, Harlen, McCausland, Manning, Smith. Total 8.

Mr. Speaker: 88 have voted "aye", 6 have voted "no", House Bill No. 63 has passed the House.

House Bill No. 53 having been read three several times, history and title agreed to was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 96.

Noes: Emmett. Total 1.

Passed the vote: Haight. Total 1.

Absent and not voting: Caldwell, Harlen, McCausland, Smith. Total 4.

Mr. Speaker: 96 have voted "aye", one has voted "no", House Bill No. 53 has passed the House.

House Bill No. 70 having been read three several times, history and title agreed to, was passed by the following vote.

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Southmayd, Stevens, Stimatz, Stromnes, Toomey, Whaley, White (Hill), York, Mr. Speaker. Total 91.

Noes: Boone, Stimatz, Watson, Worden. Total 4.

The following passed their vote: Spiegel, White (Judith Basin). Total 2.

Absent and not voting: Caldwell, Harlen, McCausland, Nelson, Smith. Total 5.

The Speaker: 91 have voted "aye", 4 have voted "no", House Bill No. 70 has passed the House.

House Joint Resolution No. 3 having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Ballard, Bertsche, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Egan, Emmett, Emmons, Foor, Fowler, Gordon, Green (Dawson), Hamilton, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Lemmer, Liggett, Lippard, Lott, Lovell, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Minette, Mitchell, Monahan, Mundy, Neary, Nutting, O'Byrne, Ormsbee, Parker, Petersen (Sheridan), Peterson (Valley), Quigley, Ritch, Scofield, Sexton, Sherman, Southmayd, Stevens, Stimatz, Whaley, White (Hill), York, Mr. Speaker. Total 67.

Noes: Balgord, Boone, Doe, Ecton, Goodwin, Gray, Groene (Fergus), Haight, Hall, Kelly, Leavitt, Miller (Big Horn), Moss, Mulholland, Nelson,

O'Brien, O'Connor, Padbury, Peterson (Gallatin), Rolph, Ryan, Spiegel, Strommes, Toomey, Watson, White (Judith Basin), Worden. Total 27.

The following passed their vote: Byrne. Total 1.

Absent and not voting: Caldwell, Ewing, Harlen, Harwood, Joffray, McCausland, Smith. Total 7.

The Speaker: 67 have voted "aye", 27 have voted "no". House Joint Resolution No. 3 has passed the House.

It was moved by Byrne, duly seconded and carried, that consideration of General Orders be passed until the afternoon session.

Without objection, the Committee on Workmen's Compensation was given an extension of time on House Bills Nos. 32 and 33.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following bills:

By Judiciary Committee, by request: A Bill for an Act entitled: "An Act providing that upon conviction for crime, in addition to the punishment prescribed, and as a part of the sentence, the court may impose upon the defendant the duty to pay the whole or any part of the disbursements of the prosecution, limiting the amount in court not of record, and providing for its collection by execution or enforcement in the same manner as the sentence."

By Judiciary Committee, by request: A Bill for an Act entitled: "An Act to amend Section 11870, of the Revised Codes of the State of Montana, being a part of Chapter 17, of Part II, of the Criminal Code of the State of Montana, relating to rules of pleading and forms of the information and indictment and relating to the variance between the charge contained in the indictment or information and the evidence offered in proof thereof, and providing that no variance between the statement contained in the indictment or information and the evidence offered in proof thereof shall be grounds for acquittal."

By Judiciary Committee, by request: A Bill for an Act entitled: "An Act to amend Section 11847, of the Revised Codes of Montana of 1921, which provides that an indictment or information must charge but one offense except where it is committed by different means, and providing that other offenses, if connected in their commission or of the same class, may be charged in separate counts, and authorizing consolidation of indictments or informations, and providing for the procedure in the trial if several counts or offenses are charged, and repealing all Acts and parts of Acts in conflict herewith."

By Judiciary Committee, by request: A Bill for an Act entitled: "An Act to amend Section 11971 of the Revised Codes of Montana of 1921, relating to presumption of innocence; and defining the words 'reasonable doubt', and providing that no further instructions need be given a jury in a criminal action upon the subjects herein mentioned."

By Judiciary Committee, by request: A Bill for an Act entitled: "An Act to amend Section 12011 of the Revised Codes of the State of Montana of 1921, being a part of Chapter 26 of Part II, of the Criminal Code of the State of Montana relating to what papers the jury may take with them upon retiring for deliberation upon their verdict."

By Judiciary Committee, by request: A Bill for an Act entitled: "An Act to amend Section 11906 of the Revised Codes of Montana of 1921, relating to objections forming grounds of demurrer and when such objections may be taken."

By Judiciary Committee, by request: A Bill for an Act entitled: "An Act to amend Section 11973 of the Revised Codes of the State of Montana of 1921, relating to separate trials of defendants jointly charged with a public offense."

By Judiciary Committee, by request: A Bill for an Act entitled: "An Act to amend Section 12109, of the Revised Codes of Montana of 1921, relating to the time appeals may be taken to the Supreme Court in criminal cases, and repealing all Acts and parts of Acts in conflict herewith."

By Judiciary Committee, by request: A Bill for an Act entitled: "An Act relating to the preparation of transcripts on appeal in criminal cases, the filing thereof, authorizing the Appellate Court to extend time for filing transcript, and repealing Section 12116, R. C. M. 1921, relating to duty of clerks upon appeal, and all other Acts and parts of Acts in conflict herewith."

By Judiciary Committee, by request: A Bill for an Act entitled: "An Act to amend Section 11853 of the Revised Codes of the State of Montana, of 1921, relating to the sufficiency of indictments and informations and to defects and imperfections therein."

By Judiciary Committee, by request: A Bill for an Act entitled: "An Act to amend Section 12000 of the Revised Codes of the State of Montana, of 1921, relating to procedure in cases where a juror is unable to perform his duties by reason of sickness."

By Judiciary Committee, by request: A Bill for an Act entitled: "An Act to amend Section 11874, of the Revised Codes of the State of Montana, of 1921, relating to departures from the form or mode prescribed by the Penal Code of the State of Montana in respect to pleadings and proceedings."

By Cusick, by request: A Bill for an Act entitled: "An Act providing for the registration of professional engineers, creating a Board of Engineering Examiners and defining their duties, fixing the fees for registration fund and fixing the penalties for violations."

By Whaley, Petersen (Sheridan), Kuhl, Manning, Balgord, Ballard, Emmett, Anderson and Foor: A Bill for an Act entitled: "An Act to regulate the nomination and election of all county officers; abolishing certain existing methods in such cases and the use of party or political designations at elections to such offices; imposing certain duties upon the county officers having charge of election affairs and judges and clerks of election, and adopting the provisions of the laws as they now exist to the non-partisan election of county officers."

By Stimatz: A Bill for an Act entitled: "An Act to amend Chapter 49 of the Extraordinary Session of the Twenty-third Legislative Assembly of the State of Montana, relating to exemptions from attachment, providing that in certain actions no writ of attachment shall be issued and levied upon or against certain wages and earnings of the debtor or defendant for his personal services rendered within a certain time, and providing that such wages and earnings are exempt from attachment, and to repeal Section 9429 Revised Codes of Montana, 1921, as amended by Chapter 3, Session Laws of the Twenty-third Legislative Assembly, 1933."

By Manning: A Bill for an Act entitled: "An Act to amend Section 10145, Revised Codes of Montana, 1921, providing that all property exempt from execution, including the homestead to be set apart for use of family."

By Manning: A Bill for an Act entitled: "An Act to amend Section 10149, Revised Codes of Montana, 1921, providing that estates of less than

Fifteen Hundred Dollars to go to wife and child—those less than Three Thousand to be summarily administered.”

By Committee on Fairs and Expositions: A Bill for an Act entitled: “An Act to amend Section 11149 of the Revised Codes of Montana, 1921, relative to the definition of lotteries.”

By Committee on Fairs and Expositions: A Bill for an Act entitled: “An Act to amend Section 2434, Revised Codes, Montana, 1921, relative to licenses; said amendment being for the purpose of exempting agricultural fairs and veterans organizations from the payment of the licenses defined.”

By Committee on Fairs and Expositions: A Bill for an Act entitled: “An Act to amend Section 2430 of the Revised Codes of Montana, 1921, providing for licenses for premiums or bonuses for sale of merchandise.”

By Committee on Fairs and Expositions: A Bill for an Act entitled: “An Act to amend Section 1 of Chapter 30 of the Laws of the Twentieth Legislative Assembly of the State of Montana, providing for the appointment, qualification, and term of office of County Fair Commissioners, and defining their powers and duties.”

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 72, entitled: “An Act providing for the recount of the votes cast at any general or special election, or at any municipal election, by the Board of County Canvassers pursuant to an order therefor, upon application made to the District Court, or to a judge thereof, by any person who by the statement of the result of the canvass of the election returns by the Board of County Canvassers is found not to have received the highest number of votes for the office for which said person was a candidate at such election; and providing for the correction of the official canvass by the said Board of County Canvassers to conform to such recount; and for the cancellation of the certificates of election issued by the County Clerk if it should be found by such recount that the person to whom the certificate had therefore been issued did not receive the highest number of votes for said office; and for the issuance of a certificate of election to the successful candidate as disclosed by said recount; and repealing and amending all Acts or parts of Acts, or Section of the Statute in conflict herewith,” respectfully report as follows: That House Bill No. 72 do pass.

HAIGHT, Chairman.

On motion of Haight, report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 49, entitled: “An Act to amend Sections 557 and 556 and repealing Sections 567 and 571 Revised Codes of Montana, 1921, relating to the registration of electors,” respectfully report as follows: That House Bill No. 49 do not pass.

HAIGHT, Chairman.

On motion of Haight, report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 4, entitled: “A memorial memorializing Congress that they take appropriate action to force the immediate resumption of work on the Polson Dam site by the United States,” respectfully report as follows: That House Joint Memorial No. 4 do pass.

STEVENS, Chairman.

On motion of Stevens, report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration, House Bill No. 45, entitled: “An

Act providing for the slander of woman; defining and prescribing penalties for the violation thereof," respectfully report as follows: That House Bill No. 45 do not pass.

MONAHAN, Chairman.

On motion of Monahan, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 88, entitled: "An Act to amend Section 11170, Revised Codes of Montana, 1921, and to repeal Section 11179, Revised Codes of Montana, 1921, both of said sections relating to gambling," respectfully report as follows: That House Bill No. 88 do pass.

GOODWIN, Chairman.

On motion of Goodwin, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 64, entitled: "An Act to amend Section 182 of the Revised Codes of the State of Montana, 1921, as amended by Chapter 180 of the Session Laws of the Twenty-first Legislative Assembly, 1929, relating to the depositing of funds in the hands of the State Treasurer; and providing for the security to be delivered by the banks designated as depositories by the State Depository Board," respectfully report as follows: That House Bill No. 64 be amended as follows: Section 1, line 12: There be inserted between the words "rate" and "agreed" the following: "not less than one per cent (1%) per annum" Section 1, line 14, between the words "fixed" and "annually" there be inserted the word "semi-" and further by striking out the period (.) after the word "annually" in said line 14 and inserting a colon (:) and add after the word "annually" the following: "The first rate fixing date to be not later than thirty (30) days after the final passage and approval of this Act; thereafter, the interest rate shall be fixed semi-annually during the months of July and January of each year," and as amended, do pass.

ACHER, Chairman.

On motion of Acher, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 97, entitled: "An Act to amend Section 8344, Revised Codes of Montana, 1921, relating to priority of mechanics' lien over mortgages," respectfully report as follows: That House Bill No. 97 be re-referred to the Committee on Judiciary.

ACHER, Chairman.

On motion of Acher, report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 56, entitled: "An Act to amend Section 2819, Revised Codes of Montana, 1921, relating to the Industrial Accident Board and defining its membership," respectfully report as follows: That House Bill No. 56 do not pass.

SPIEGEL, Chairman.

It was moved by Spiegel, duly seconded, that the report be adopted.

On substitute motion, it was moved by Gray, duly seconded and carried, that House Bill No. 56 be re-referred to the Committee on Agriculture.

Mr. Speaker: We, your Committee on Education, having had under consideration, House Bill No. 67, entitled: "An Act prohibiting the charging and collecting of any tuition, enrollment, registration, matriculation or other fees, deposits, charges or exactions from students who are residents of the State of Montana, for attending the State University at Missoula, the College of Agriculture and Mechanic Arts at Bozeman, the School of

Mines at Butte and the Normal College at Dillon, Billings and Havre, and prescribing certain exceptions," respectfully report as follows: That House Bill No. 67 do not pass.

PETERSON, Valley, Chairman.

On motion of Peterson, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

It was moved by Byrne, duly seconded and carried, that the messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 16, by Haight, Lott, Kruse, Ritch, Chapman and Ewing was this day read third time and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in the Senate amendments:

Judiciary Committee Amendments: Amend in line 10, Section 1, being line 1 of Section 1, by striking out the word "after" and inserting in lieu thereof the word "upon."

Amend by inserting after the word "executed" in line 11, being line 2 of Section 1 of the original bill, line 1 of the printed bill, the words "to any vendor of real property or to his heirs, executors, administrators or assigns."

Committee of the Whole Amendment: Amend in Section 1 by inserting in line 2, printed bill, after the second word "of" and before the word "real," the word "such."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Joint Memorial No. 3, by Ahlgreen, was this day read three several times and passed, history and title agreed to, and Memorial is herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee on Printing this day reported Senate Bills 35 and 42 correctly printed, report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day introduced in the Senate, read first and second time, and referred to the Committee on Fish and Game:

S. B. No. 49, by Oliver: A Bill for an Act entitled: "An Act relating to the closed season for deer, elk and antelope in Fallon and Carter Counties, State of Montana, providing for the power and duties of the Montana Fish and Game Commission relating to the provisions of this Act; making the violation of this Act a misdemeanor and providing a penalty for such violation, and repealing all Acts and parts of Acts in conflict herewith."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 50, by Cusick, was this day introduced in the Senate, read first and second time, and referred to Committee on Military Affairs.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notice of Introduction was this day received:

By Carroll: A Bill for an Act entitled: "An Act to amend Section One (1) of Chapter One Hundred and Fifty-seven (157) of the Session Laws of Montana for 1933, relating to the gasoline dealers' license tax and requiring such dealers to file with the State Board of Equalization a bond conditioned for the payment of gasoline license taxes."

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Brennan, duly seconded and carried, that House Bill No. 64 be re-referred to the Committee on Banks and Banking.

It was moved by Rolph, duly seconded and carried, that House Bill No. 129 be taken from the Committee on Revenue and Taxation and returned to the author for corrections.

It was moved by Neary, duly seconded and carried, that the Committee on Mines and Mining be given the use of the House Chamber immediately after adjournment for the purpose of a public hearing.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following bill was introduced, read first and second time and referred to the Committee on Workmen's Compensation.

H. B. No. 135—Introduced by Ryan and Mitchell: A Bill for an Act entitled: "An Act creating a fund to be known as the Volunteer Firemen's Compensation Fund; declaring such fund to be a trust fund and providing for disposition of interest thereon; providing for the payment from said fund of compensation for disabilities received by members of regularly organized fire companies in unincorporated towns and cities; providing the amount of compensation payable; providing for the filing of claims for disability; providing the administration of such fund by the Industrial Accident Board of the State of Montana; amending Section 2761 Revised Codes of Montana, 1921, to provide for transfer of unused funds of State Fire Marshall Fund into Volunteer Firemen's Compensation Fund; providing penalties for filing of false claims; and repealing all Acts and parts of Acts in conflict herewith."

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day, introduce the following bills:

By Mitchell, Ryan and O'Brien: A Bill for an Act entitled: "An Act for a Bill requiring all banks doing business in the State of Montana to furnish an annual report of unclaimed deposits on the first day of March of each year after the passage and approval hereof to the Superintendent of Banks and providing for the publication of the names and addresses of each person and providing for an examination by the Bank Examiner of the books of the bank at least thirty days prior to March first of each

year for the purpose of discovering all unclaimed deposits in either a general checking, savings account or otherwise or held upon certificates of deposit or in any other way by said banks and being unclaimed for a period of seven years or more prior to March first of each year and providing further for the payment of all funds unclaimed deposits for said period of time into State Treasury and upon proper distribution into the County Treasury where said bank or banks may be situated to be paid into a fund known as the Old Age Pension Fund, the Montana Teachers Welfare Fund and upon failure of an Old Age Pension Fund to be divided equally between the Mother's Pension Fund and the Widow's Pension Fund."

By Gordon and Lippard: A Bill for an Act entitled: "An Act to amend Section 9309 of the Revised Codes of Montana of 1921, relating to moneys paid to the Clerk of the District Court as trust funds, providing for the procedure to be followed in the receipt and disbursement of the same, and the disposition to be made of unclaimed balances."

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

CONSIDERATION OF GENERAL ORDERS

Moss of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 61, 73, 7, 62, Senate Joint Resolution No. 2 and Senate Amendments to House Bill No. 16 and recommend the following:

That House Bill No. 61 be corrected as follows: That the clerk be instructed to add the letter "s" to the word "letter" in line 6 of the printed bill and that the same do pass.

That House Bill No. 73 be amended as follows: That Section 2 be amended by striking out all of line 2 in the printed bill after the figures "1933" and all of lines 3 and 4 to and including the word "law"; and as amended do pass.

That House Bill No. 62 be amended as follows: Amend Section 1 of the printed bill in line 3 after the word "trial" by adding the words "of which"; and as amended do pass.

That House Bill No. 7 be amended as follows: By striking out in Section 1, line 8 of the printed bill the words "or employee"; by inserting in line 6, Section 3 of the printed bill after the word "regular" the words "or special"; and as amended do pass.

That Senate Joint Resolution No. 2 be passed for the day.

That Senate Amendments to House Bill No. 16 be not concurred in, and a conference committee requested.

MOSS, Chairman.

On motion of Moss, report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 9 entitled: "A Bill for an Act entitled: 'An Act to amend Sections 11,577 and 11,578 of the Revised Codes of Montana of 1921, forbidding discrimination by hospitals,'" respectfully report as follows: That House Bill No. 9 do not pass.

YORK, Chairman.

On motion of York, report adopted.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND
READING OF THE SAME

The following Bills were this day introduced, read first and second time, and referred to committees:

H. B. No. 136, introduced by Groene of Fergus: A Bill for an Act entitled: "An Act providing for the conversion of building and loan associations and other home financing organizations into federal savings and loan associations, prescribing the procedure therefor, defining the results thereof and providing for the indebtedness of such association." Referred to the Committee on Banks and Banking.

H. B. No. 137, introduced by Groene of Fergus: A Bill for an Act entitled: "An Act to amend Section 4462 of the Revised Codes of Montana, 1921, as amended by Chapter 35 of the laws of the Twenty-first Legislative Assembly of the State of Montana for the year 1929, relating to time of regular meetings and extra sessions of Boards of County Commissioners." Referred to the Committee on Townships and Counties.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Wednesday morning at 10:30 o'clock A. M. January 30th, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

TWENTY-FOURTH DAY

House of Representatives,
Helena, Montana, January 30th, 1935.

House convened, pursuant to adjournment at 10:30 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by Chaplain.

On roll call, all members present except the following who were excused: Caldwell.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twenty-third Legislative day, find the same to be correct.

CLYDE J. QUIGLEY, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed: On January 28th, 1935, House Bill 7 and House Bill 73.

McCAUSLAND, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed: House Bills Nos. 43, 94 and 85.

McCAUSLAND, Chairman.

Without objection, report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following bills:

By Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Chapter 51 of the Session Laws of the Extraordinary Session of the Twenty-third Legislative Assembly, 1934, relating to the license tax on the gross proceeds of electricity and electrical energy, and providing for the distribution thereof."

By Emmons, O'Brien, Neary and Connors: A Bill for an Act entitled: "An Act to repeal Chapter 12 of the Session Laws of the Twenty-third Legislative Session, 1933, defining nepotism and preventing such practice in the State of Montana and prescribing a penalty therefor."

By Groene: A Bill for an Act entitled: "An Act amending Section 3694 of the Revised Codes of Montana as amended by Chapter 59, Laws of the Twentieth Legislative Assembly of the State of Montana, 1927, as amended by Chapter 162, Laws of the Twenty-second Legislative Assembly of the State of Montana, 1931, relating to the restrictions of the manner of taking and possessing fish and game, and granting and giving to the State Fish and Game Commission of the State of Montana, authority to change or suspend closed seasons on game birds and animals, game fish and fur-bearing animals, so as to meet existing conditions, and also, to make and promulgate rules and regulations for the killing, taking, capturing and possessing of game fish, game birds, game and fur-bearing animals; prescribing penalties for a violation of this Act and repealing all Acts and parts of Acts in conflict with the provisions hereof."

By Toomey: A Bill for an Act entitled: "An Act to amend Section 4740 of the Revised Codes of Montana of 1921 prohibiting certain officers from practicing law or acting as collection agents."

By Monahan: A Memorial "memorializing the Congress of the United States, and the Secretaries of Agriculture, and of the Interior, to conduct a thorough investigation into the complaints of ranchers residing in the Tom Minor Basin, with reference to the action of the National Park Service, and the Game Preservation Association, in withdrawing 43 square miles of range land from the use of said ranchers, and annexing such land to Yellowstone National Park."

By Toomey: A Bill for an Act entitled: "An Act to secure the attendance of witnesses from without the state in criminal cases, providing summonses with respect to such witnesses, exemptions from arrest and service of process, and to make uniform the law with reference thereto."

By Toomey: A Bill for an Act entitled: "An Act to amend Section 6236 of the Revised Codes of Montana of 1921 relating to official bonds required of public officers."

By Haight: A Bill for an Act entitled: "An Act to amend Sections 4 and 8 of Chapter 105, Session Laws of the Twenty-third Legislative Assembly, 1933, relating to the "state liquor control Act of Montana," administration of this Act, creation of board, and its powers and functions."

By Lemmer: A Bill for an Act entitled: "An Act to amend Sections 3681 and 3704, Revised Codes, Montana, 1921, as amended by Chapter 59 of the Laws of the Twentieth Legislative Assembly of the State of Montana relative to definitions of fur-bearing and predatory animals and the open and closed season on fur-bearing animals."

By Stimatz: A Bill for an Act entitled: "An Act relative to instructions printed on election ballots."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Joint Memorial No. 3.

MONAHAN, Chairman.

Without objection, report adopted.

The Speaker announced he was about to sign House Joint Memorial No. 3, whereupon the clerk read the title of the same and the Speaker did sign in the presence of the House.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Employment, having had under consideration applicants for employment, beg to submit the following appointments. Stenographers: Heien Stam, Elizabeth Slott, Amy Erb, Della Ettinger, Ada Wells, Lucille Hoosier, Mary Alice Kerns.

MASTERSON, Chairman.

On motion of Masterson, report adopted.

Mr. Speaker: We, your Committee on Horticulture having had under consideration House Bill No. 54, entitled: "An Act to amend Section 2, paragraphs A, B, and C of Section 4 and Section 18 of Chapter 164 of the Montana Session Laws of 1933 relating to wholesale dealers in agricultural products," respectfully report as follows: That House Bill No. 54 be amended as follows: By striking out in line one of the title after the figure 2 the words "paragraphs A, B, and C of"; by adding in line one of Section one, between the words "laws" and "be" the words "of 1933."

By striking out in line one of Section 2 of the printed bill after the word "that" the words "paragraph a of"; by inserting in line two of Section 2 after the word "follows" the following: "Section 4. Licenses to engage in the business of a dealer at wholesale within the State of Montana shall be issued by the commissioner to such reputable persons as shall apply therefor, pay the prescribed fee and comply with the conditions herein specified, to-wit: "And by striking out the quotation marks before the letter "a" at the beginning of line three of Section 2 of the printed bill:

By striking out all of line 1 and 2 of Section 3 of the printed bill and striking out the quotation marks before the letter "b" at the beginning of line 3 of Section 3 of the printed bill.

By striking out all of line 1 and 2 of Section 4 of the printed bill and the quotation marks before the letter "c" at the beginning of line 3 of Section 4 of the printed bill.

By adding a new paragraph after the figures "(\$50.00)" line 8 of Section 4 of the printed bill as follows:

D. The applicant shall file with the commissioner a schedule of his commissions and charges for services in connection with produce handling on account of or as agent for an other."

I move to amend House Bill Number 54 by renumbering Section 5 as Section 2; Section 6 as Section 3; and Section 7 as Section 4; and as amended, do pass.

KUHL, Chairman.

On motion of Kuhl, report adopted.

Mr. Speaker: We, your Committee on Horticulture, having had under consideration House Bill No. 55, entitled: "An Act to amend paragraphs (D) and (G) of Section 1 of Chapter 138 of the Twenty-second Legislative Assembly as amended by Chapter 1 of the Twenty-third Legislative Assembly; to amend Section 3 of Chapter 138 of the Twenty-second Legislative Assembly; and to amend Section 6 of Chapter 138 of the Twenty-second Legislative Assembly; all relating to fixing standard grades of apples," respectfully report as follows: That House Bill No. 55 be amended as follows:

By striking out in line 1 of the title after the word "amend" the words "paragraphs (D) and (G) of."

By striking out in line 1, Section 1 of the printed bill after the word "that" the following words: "paragraph (D) of."

By inserting after the word "follows" line 3 Section 1 of the printed bill the following:

"Section 1. The standard grades of apples for the State of Montana shall be: 'extra fancy or first grade', 'fancy or second grade', 'C', 'combination grades,' and 'XFFC.'

(A) 'Extra fancy or first grade,' shall consist of applies of one variety which are mature, hand picked clean, well formed, sound, free from bruises, limbrubs, spray burns, sunburn, russeting, drought spot, hail marks, visible water-core, broken skin, apple scab, stings, and from diseases and insect injury, except that slight blemishes shall be permitted in this grade.

(B) 'Fancy or second grade' shall consist of apples of one variety which are mature, hand picked, clean, fairly well formed, sound, free from visible watercore, broken skin, and from damage caused by bruises, limbrub, spray burns, sunburn, russeting, drought spot, hail marks, apple scabs, diseases and insect injury.

(C) 'C' grade shall consist of apples which are mature, free from infection, soft bruises and broken skin and must have ten per centum (10%) of color requirements characteristic of the variety, provided that this grade may include healed over worm stings and scab spots not to exceed one-quarter ($\frac{1}{4}$) inch in the aggregate. The word 'choice' must not be used in connection with this grade."

By striking out in line 4 of Section 1 of the printed bill the word "paragraph," being the first word in said line 4.

By striking out all of lines 1, 2 and 3 in Section 2 of the printed bill, and by striking out the word "paragraph" in line 4 of said Section 2.

By inserting after the word "culls" line 7, Section 1 of the printed bill the following:

"(E) 'Combination grades.' When 'extra fancy or first grade' and 'fancy or second grade' apples are packed together the boxes must be marked 'combination extra fancy or first grade and fancy or second grade.' When 'fancy or second grade' and 'C' grades are packed together the boxes must be marked 'combination fancy or second grade and 'C'. Combination grade must contain at least twenty-five per centum (25%) of apples which belong to the higher grade in the combination.

(F) 'XFFC' grade shall consist of 'extra fancy or first grade', 'fancy or second grade' and 'C' grade apples packed in combination. Boxes so marked must contain at least fifteen per centum (15%) of apples of 'extra fancy or first grade' and not more than fifty per centum (50%) of 'C' grade. No apples failing to meet the requirements of 'C' grade shall be permitted in this grade."

By inserting after the word "diseases" line 8, Section 2 of the printed bill a paragraph as follows:

"(H) In order to provide for variations incident to commercial grading and handling a tolerance of ten per centum (10%) for a total of all defects from the standard of the grade shall be allowed."

By renumbering Section 3 of the printed bill Section 2.

By renumbering Section 4 of the printed bill as Section 3.

By renumbering Section 5 of the printed bill as Section 4.

By adding to the bill a new section as follows:

"Section 5. This Act shall be in full force and effect from and after its passage and approval."

And as amended, do pass.

KUHL, Chairman.

On motion of Kuhl, report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration, House Bill No. 28, entitled: "An Act providing for the creation

of a separate Department of Labor and Industrial Relations, prescribing its powers and duties, etc., and amending Sections 3555, 3556, 3635, 3636, 3637, 2819, 2820 of the Revised Codes of Montana, 1921," respectfully report as follows: That House Bill No. 28 be amended as follows: In the title change the comma after the word, "duties," in line 3 to a period and strike the rest of the title out.

In Section 3, line 6, change the period after the word, "qualified," to a semi-colon, and add the following: "provided, that the first commissioner shall be appointed at once, and shall hold office until the first Monday in January, 1937."

In Section 4, line 5, change the words, "five thousand" to "thirty-six hundred," and also change the figures in the parenthesis from "\$5,000.00" to "\$3,600.00."

In Section 4, lines 8 and 9, change the words, "five thousand dollars" to "Thirty-six Hundred Dollars" and change the figures in the parentheses from "\$5,000.00" to "\$3,600.00."

In Section 9, line 5, change the comma after the word, "act" to a period, and strike out the remainder of the section.

Strike out all of Sections 11 and 12.

Renumber Sections 13 and 14 to read as Sections 11 and 12, respectively. And as amended, do pass.

MULHOLLAND, Chairman.

On motion of Mulholland, report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 29, entitled: "An Act to provide for a minimum compensation for women employed in any occupation within the State of Montana, excepting housework, and providing penalty for violation thereof," respectfully report as follows: That House Bill No. 29 be amended as follows: In line 3 of the title of this bill, after the word, "and" insert the following: 'Excepting those employed under existing contract where the wages amount to Sixteen (\$16.00) Dollars per week or more, and'

Add the following two (2) paragraphs to Section 1:

'However, where it has been mutually agreed between any such employee and employer that such employee shall receive meals, a sum not to exceed Fifteen (15c) Cents for each meal furnished, but not to exceed a total of Two and One-quarter (\$2.25) Dollars per week for meals, may be deducted from the minimum wages of such employees as defined above.

This Act shall not in any manner affect existing contracts, either written or verbal, between employee and employer so long as the wages paid thereunder amount to Sixteen (\$16.00) Dollars per week or more and will not restrict collective bargaining. Under no condition shall collective bargaining reduce the wages to be paid below Forty (40c) Cents per hour.'

After the word, "dollars", in line 6 of Section 2 insert the following: 'or imprisonment in the county jail not less than thirty (30) days nor more than six (6) months or suffer both such fine and imprisonment,' and as amended, do pass.

MULHOLLAND, Chairman.

On motion of Mulholland, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 44, entitled: "An Act to amend Section 3 of Chapter 12 of the Session Laws of the Twenty-third Legislative Assembly, 1933," respectfully report as follows: That House Bill No. 44 do not pass, but that Substitute House Bill No. 44, do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Substitute House Bill No. 10, entitled: "An Act to amend Chapter 116 of the Laws of the Twenty-third Legislative Assembly relating to the granting of stays of proceedings in actions instituted in the District Courts for the foreclosure of mortgages on real estate providing for the extension of the time limitation and designating foreclosures to which said Act shall not apply," respectfully report as follows: That Substitute House Bill No. 10 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 34, entitled: "An Act to amend Sections 2099, 2101, 2102, 2103, Montana Revised Codes of 1921, as amended, relating to taxation of the property of freight line companies," respectfully report as follows: That House Bill No. 34 be amended as follows: That the title be amended to read, "An Act to provide for the taxation of the property of freight line companies and amending Sections 2099, 2101, 2102, 2103, Montana Revised Codes of 1921, as amended, relating thereto," and as amended, do pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 23, entitled: "An Act to amend Section 45 of Chapter 46 of the Laws of the Extraordinary Session of the Twenty-third Legislative Assembly of the State of Montana in regard to beer licenses," respectfully report as follows: That House Bill No. 23 do not pass.

ROLPH, Chairman.

It was moved by Rolph, duly seconded, that the report be adopted.

On substitute motion, it was moved by White of Judith Basin, duly seconded and carried, that House Bill No. 23 be printed and placed on General Orders.

Whereupon motion by Rolph was lost.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills as correctly engrossed: H. B. No. 61.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Water Conservation and Flood Control, having had under consideration House Joint Memorial No. 6 entitled: "A memorial to the President of the United States of America requesting an investigation of flood control of the Yellowstone River," respectfully report as follows: That House Joint Memorial No. 6 do pass.

MANNING, Chairman.

On motion of Manning, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND THE SENATE

It was moved by Byrne, duly seconded and carried, that the messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee on Rules this day submitted the following report:

"Mr. President: We, your Committee on Rules, having had under consideration amendment to Joint Rule No. 23, as submitted to the Senate by the House, which rule had reference to transmission of bills between the Senate and House and amendments in connection therewith after the fiftieth day, except bills considered by Joint Conference Committees, beg leave to report and recommend that said amendment to Joint Rule No. 23 be adopted."

Report adopted.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day introduced, read first and second time, and referred to the Committee on Counties and Towns:

S. B. No. 50, by Pauline and Holt: A Bill for an Act entitled: "An Act to amend Chapter 8 of the Acts of the Twenty-third Legislative Assembly of the State of Montana, relating to the letting of contracts by Boards of County Commissioners for the purchase of automobiles, trucks, vehicles, road, highway, or other machinery, apparatus, appliances, equipment, materials and supplies."

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Banks and Banking: That H. B. No. 60 be concurred in, report adopted.

Committee on Banks and Banking: That S. B. No. 6 do pass, report adopted.

Committee on Judiciary: That S. B. No. 44 do not pass, report adopted.

Committee on Judiciary: That S. B. No. 48 do pass, report adopted.

Committee on Judiciary: That S. B. No. 37 be amended by striking out all of Sub-section 4 of Section 1 beginning with line 2, page 2, and ending with line 8, page 2, and renumbering the subsequent Sub-sections to conform:

And as so amended, recommend said S. B. No. 37 do pass, report adopted.

Committee on Judiciary: That S. B. No. 11 be amended in the title by striking out "And prohibiting the taking of deficiency judgments", and inserting in lieu thereof the words, "And prescribing under what conditions deficiency judgments may or may not be taken."

Amend by erasing the period after the word "vender" in line 13 of page 2 and inserting in lieu thereof a comma, and inserting immediately following the comma the words, "shall become part of the indebtedness of the vendee to the vendor, and should the proceeds of said sale not be sufficient to pay the balance due on said contract, note, or instrument, including said costs, the remainder due thereon, if any, may be recovered by the vendor in an appropriate action on the original contract, note, or instrument."

Amend by striking out all of Section 1 in line 14 of page 2 after the word "if", and inserting in lieu thereof the following: "said vendee shall surrender possession of said personal property to said vendor without cost and expense to said vendor, and provided also, that said vendee has paid at least thirty-three and one-third per cent (33⅓%) of the original purchase price of said personal property with interest, said vendor shall not

be entitled to any deficiency judgment against said vendee upon said contract, note or instrument."

And as so amended, recommend said S. B. No. 11 do pass, report adopted.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion of Kilduff, duly seconded and carried, Senate Bill No. 12 was referred to the Printing Committee.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced in the Senate, read first and second time, and referred to committees.

H. B. No. 53, by Committee on Horticulture: To Committee on Horticulture.

H. B. No. 63, by Haight and Stevens: To Judiciary Committee.

H. B. No. 70, by Southmayd and Bertsche: To Committee on Counties and Towns.

H. J. R. No. 3, by Fowler: To Committee on Relief and Social Welfare.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. B. No. 35 do pass.

That S. B. No. 42 do pass.

Report adopted.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notice of introduction was this day received:

By Lamp: A Bill for an Act entitled: "An Act relating to the care of the county poor and requiring the property of sick, poor or indigent persons receiving county aid to be applied to the support of such persons, and defining the duties of the County Commissioners in relation thereto."

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded, that the House reconsider its action on House Bill No. 45 and roll call was demanded by the required number.

Whereupon motion by Byrne, was lost by the following vote:

Ayes: Ahlgreen, Byrne, Doe, Ecton, Fowler, Groene (Fergus), Heavlin, Joffray, Leavitt, Lovell, McCausland, McLaughlin, Miller (Big Horn),

Minette, Moss, Mulholland, Mundy, Neary, Nelson, Padbury, Spiegel, Stimatz, White (Hill), Total 23.

Noes: Acher, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Liggett, Lippard, Lott, Manning, Masterson, Metlen, Miller (Roosevelt), Mitchell, Monahan, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Stevens, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), Worden, York, Mr. Speaker. Total 76.

Absent and not voting: Caldwell, Leary, Lemmer. Total 3.

The Speaker: 76 have voted "no", 23 have voted "aye". Motion is lost.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF THE SAME

The following were introduced, read first and second time and referred to committees:

Substitute H. B. No. 44, introduced by Judiciary Committee: A Bill for an Act entitled: "An Act to amend Sections 2 and 3 of Chapter 12 of the Session Laws of the Twenty-third Legislative Assembly relating to nepotism." Committee on Printing.

H. B. No. 138, introduced by Stromnes: A Bill for an Act entitled: "An Act defining the duration of liens of mortgages upon real estate, and the manner of the extension thereof, and amending Section 8267, of the Revised Codes of Montana of 1921 as amended by Chapter 104 of the Session Laws of the Twenty-third Legislative Assembly of the State of Montana of 1933." Committee on Judiciary.

H. B. No. 139, introduced by Lemmer: A Bill for an Act entitled: "An Act relating to licenses for hunting and taking fish within the State of Montana." Committee on Fish and Game.

H. B. No. 140, introduced by Committee on Fish and Game: A Bill for an Act entitled: "An Act to amend Section 3653, Revised Codes of Montana, 1921, relating to the powers and duties of the State Fish and Game Commission." Committee on Fish and Game.

H. B. No. 141, introduced by Whaley, Peterson, Kuhl, Balgord, Emmett, Anderson and Foor: A Bill for an Act entitled: "An Act to regulate the nomination and election of all county officers enumerated in Section 4725 R. C. M. 1921; providing for a primary ballot and a general election ballot without party designation for the nomination and election of all such officers; providing the form of nominating petitions for the offices aforesaid; designating the form and arrangement of ballots to be used at said election; adapting the provisions of existing primary and general election laws to the elections provided for in this Act, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Privileges and Elections.

House Bill No. 142, introduced by Stimatz: A Bill for an Act entitled: "An Act to amend Chapter 49 of the Extraordinary Session of the Twenty-third Legislative Assembly of the State of Montana, relating to exemptions from attachment, providing that in certain actions no writ of attachment shall be issued and levied upon or against certain wages and earnings of the debtor or defendant for his personal services rendered within a certain

time, and providing that such wages and earnings are exempt from attachment, and to repeal Section 9429 Revised Codes of Montana, 1921, as amended by Chapter 3, Session Laws of the Twenty-third Legislative Assembly, 1933." Referred to Committee on Judiciary.

THIRD READING OF HOUSE BILLS

House Bill No. 61 having been read several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Galatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 97.

Noes: Stimatz.

Absent and not voting: Caldwell, Harwood, Leary, Minette. Total 4.

The Speaker: 97 have voted "aye", 1 has voted "no". House Bill No. 61 has passed the House.

It was moved by Byrne, duly seconded and carried, that consideration of General Orders be postponed until the afternoon session.

The Speaker appointed Haight, Leavitt and Toomey as the Conference Committee to act on Senate amendments to House Bill No. 16.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following bills:

By Minette and Moss: A Bill for an Act entitled: "An Act creating a highway patrol for the State of Montana which shall operate under the direction and supervision of the Maintenance Department of the State Highway Commission; providing for its organization, operation, regulation, powers and duties; providing for the expense and maintenance of same; providing for the disposition of fines and forfeitures collected in enforcing state highway statutes and regulations; providing penalties for the violation of this Act; and repealing all Acts and parts of Acts in conflict herewith."

By Manning: A Bill for an Act entitled: "An Act providing for the creation of a State Planning Board for the State of Montana and prescribing the powers and duties of said board; providing for the method for the appointment of the members thereof and making an appropriation therefor; and repealing Chapter 39 of the Extraordinary Session Laws of the Session Laws of the Twenty-third Legislative Assembly."

By Committee on Public Health and Sanitary Affairs, by request: A Bill for an Act entitled: "An Act amending Sections 4 and 8 of Chapter 104, Laws of 1929, of the Twenty-first Legislative Assembly of the State of Montana relating to the practicing or teaching of beauty culture."

By Lemmer: A Bill for an Act entitled: "An Act to amend Section 3722, Revised Codes of Montana, 1921, as amended by Section 19, Chapter 59, of the Laws of the Twentieth Legislative Assembly of the State of Montana, relative to the protection and trapping of beaver."

By Peterson of Valley, by request: A Bill for an Act entitled: "An Act declaring the policy of the state to establish a uniform system of free, public schools, and providing state support therefor, and for the distribution thereof, creating the state public school general fund."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bills Nos. 73, 62 and 7.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing, beg leave to report the following correctly printed: House Bills Nos. 87, 37, 102, 101, 109, 104, 103, 100, 90, 110, and 111. House Joint Memorials Nos. 5, 2, 1. House Resolution No. 5.

McCAUSLAND, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 64, entitled: "An Act to amend Section 182 of the Revised Codes of the State of Montana, 1921, as amended by Chapter 180 of the Session Laws of the Twenty-first Legislative Assembly, 1929, relating to the depositing of funds in the hands of the State Treasurer; and providing for the security to be delivered by the banks designated as depositories by the State Depository Board," respectfully report as follows: That House Bill No. 64 do pass as previously amended.

ACHER, Chairman.

On motion of Acher, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

It was moved by Byrne, duly seconded and carried, that the messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bill and Senate Joint Resolution were this day read three several times and passed, title and history agreed to, and same are herewith transmitted to the House for concurrence.

Senate Bill No. 20, by Wass

Senate Joint Resolution No. 4, by Employment Committee.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that on General Orders all bills be considered by history, title and section number only, unless otherwise requested.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF THE SAME

The following were introduced, read first and second time and referred to committees:

Senate Joint Resolution No. 4, introduced by the Employment Committee: "A Joint Resolution fixing the compensation of all employees of the Senate and House of Representatives of the Twenty-fourth Legislative Assembly of 1935." Referred to Committee on Employment.

Senate Bill No. 20, introduced by Wass: A Bill for an Act entitled: "An Act to amend Section One (1) of Chapter Six (6) of the Session Laws of the Twenty-third Extraordinary Session 1933-34 relating to and authorizing any county, city, town or school district having an outstanding valid indebtedness in an amount in excess of fifty per centum (50%) of the total indebtedness which it may lawfully incur under the provisions of the constitution of this state limiting the amount of indebtedness which may be incurred by counties, cities, towns and school districts, to refund its outstanding bonded indebtedness and providing the method and procedure therefor." Referred to Committee on Ways and Means.

House Bill No. 143, introduced by Lemmer: A Bill for an Act entitled: "An Act to amend Sections 3681 and 3704, Revised Codes, Montana, 1921, as amended by Chapter 59 of the Laws of the Twentieth Legislative Assembly of the State of Montana, relative to definitions of fur-bearing and predatory animals, and the open and closed season on fur-bearing animals." Referred to Committee on Fish and Game.

House Bill No. 144, introduced by Cusick: A Bill for an Act entitled: "An Act providing for the registration of professional engineers, creating a Board of Engineering Examiners and defining their duties, fixing the fees for registration fund and fixing the penalties for violation." Referred to Committee on Public Safety.

House Bill No. 145, introduced by O'Brien: A Bill for an Act entitled: "An Act to repeal Chapter 12 of the Session Laws of the Twenty-third Legislative Session, 1933, defining nepotism and preventing such practice in the State of Montana and prescribing a penalty therefor." Referred to Committee on Judiciary.

THIRD READING OF HOUSE BILLS

House Bill No. 73, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Southmayd, Spiegel, Stevens, Toomey, Watson, Whaley, White (Judith Basin), Worden, York, Mr. Speaker. Total 94.

Noes: Haight, Stimatz, Stromnes. Total 3.

Absent and not voting: Caldwell, Leary, Sherman, Smith, White (Hill). Total 5.

The Speaker: 94 have voted "aye", 3 have voted "no". House Bill No. 73 has passed the House.

House Bill No. 62, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), Worden, York, Mr. Speaker. Total 97.

Absent and not voting: Caldwell, Hall, Leary, Smith, White (Judith Basin). Total 5.

The Speaker: 97 have voted "aye", none have voted "no". House Bill No. 62 has passed the House.

House Bill No. 7, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), Worden, York, Mr. Speaker. Total 96.

Noes: Bertsche, Southmayd. Total 2.

Absent and not voting: Caldwell, Leary, Smith, White (Hill). Total 4.

The Speaker: 96 have voted "aye", 2 have voted "no". House Bill No. 7 has passed the House.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 48, entitled: "An Act to amend Section 587 of the Revised Codes of Montana of 1921, as amended by Chapter 43 Acts of the Eighteenth Legislative Assembly and Sections 593 and 607 of the Revised Codes of Montana of 1921, and repealing Section 588, Revised Codes of Montana, 1921, relating to Judges and Clerks of election and notices of election," respectfully report as follows: That House Bill No. 48 be returned, without recommendation.

HAIGHT, Chairman.

On motion of Haight, report adopted.

The Speaker announced the following ruling: That any bill that is reported out of committee without recommendation is automatically printed and placed on General Orders without further motion.

MOTIONS AND RESOLUTIONS

House Resolution No. 6, introduced by Ritch:

WHEREAS, the question of relief has become one of the major problems of the nation and the State of Montana is very definitely interested in the subject, and

WHEREAS, in the present legislature there are many bills being proposed looking towards the solution of various features of the relief situation, and

WHEREAS, there is much criticism of the methods of relief administration and complaints are coming from many counties of the state as to the manner in which relief is being cared for

THEREFORE BE IT RESOLVED, That the Speaker of the House be empowered to appoint a committee of five to make a study of the relief situation within the state, to receive and hear all complaints from the various counties, to examine into the general workings of the State Relief Administration as to costs of administration, methods, needs for the bien-nium, and all other relief matters of interest to the Legislature and the State of Montana in general, and

FURTHER BE IT RESOLVED, That said committee make a report of its findings with recommendations not later than the fortieth day of the Session.

BE IT FURTHER RESOLVED, That the committee be empowered to subpoena witnesses if necessary to testify in any hearing before committee on any matter pertaining to the administration of said relief.

RITCH.

It was moved by Ritch that the resolution be adopted. On substitute motion, it was moved by Byrne, duly seconded and carried, that the resolution be referred to the Judiciary Committee. Whereupon motion by Ritch was lost.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

CONSIDERATION OF GENERAL ORDERS

Harlen of Blaine in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 43, 94, 85, 54 and 55, recommend the following:

That House Bill No. 43 do pass.

That House Bill No. 94 do pass.

That House Bill No. 85 be amended as follows: By striking out in line 9 of Section 2 of the printed bill after the word "shampooing" the words "or dyeing the hair" and after the word "tonic" the balance of the sentence in lines 9, 10 and 11; by striking out in line 24 of Section 3 of the printed bill after the words "not less than" the word "nine" and inserting in lieu thereof the word "six"; and that House Bill No. 85 do pass as amended.

That House Bill No. 54 and 55 be passed for the day.

HARLEN, Chairman.

On motion of Harlen, report adopted.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Thursday morning at 10:30 o'clock A. M., January 31, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

TWENTY-FIFTH DAY

House of Representatives,
Helena, Montana, January 31, 1935.

House convened, pursuant to adjournment, at 10:30 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by Chaplain.

On roll call, all members present except the following who were excused: Lemmer, Moss, Neary, Worden.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the twenty-fourth legislative day, find the same to be correct.

CLYDE J. QUIGLEY, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing, beg leave to report the following correctly printed: House Bills Nos. 106, 108, 105; House Joint Memorial No. 4.

McCAUSLAND, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: H. B. Nos. 94, 43.

EWING, Chairman.

Without objection, report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Ormsbee and Masterson: A Bill for an Act entitled: "An Act creating the Montana Highway Patrol Commission; providing for the chief patrol officers and defining their duties; placing upon the sheriffs of the various counties the duties of patrolmen; defining certain offenses on the highways and providing penalties for such; providing licenses for car drivers and creating a Highway Patrol Fund."

By Stevens: A Bill for an Act entitled: "An Act to provide for the protection, welfare, and assistance of aged persons in need and resident in the State of Montana; providing a method therefore, providing for the appointment of an Old Age Commission, an Old Age Assistance Board, and a superintendent; providing an Old Age Pension Fund; providing for transfer of one-half of the Poor Fund of each county to such fund; providing penalties for the violation of the provisions of this Act, and repealing Chapter 72 of the Eighteenth Legislative Assembly of the State of Montana."

By Ormsbee and Ewing: A Bill for an Act entitled: "An Act revising the retail beer license taxes in the State of Montana; providing an additional per barrel tax on each barrel of beer produced in or imported into the state and upon each case of bottled beer produced in or imported into the state; providing penalties and repealing all Acts and parts of Acts in conflict therewith."

By Judiciary Committee, Boone, Chairman: A Bill for an Act entitled: "An Act authorizing the extension of the term of existence of any corporation organized under any of the Laws of the State of Montana, providing the procedure therefor, and providing for the filing of certificate of such proceedings with the proper officers."

By Groene of Fergus, by request: A Bill for an Act entitled: "An Act to amend Section 12079, Revised Codes of Montana, 1921, relating to persons not entitled to probation of sentence, and repealing all Acts and parts of Acts in conflict therewith."

By Committee on Fairs and Expositions, Bertsche, Chairman: A Bill for an Act entitled: "An Act to amend Section 11149 of the Revised Codes of Montana, 1921, relative to the definition of lotteries."

By Lemmer: A Bill for an Act entitled: "An Act to prohibit the offering or giving of prizes for any game or fish taken within this state and providing for penalties for the violation thereof."

By Chamberlain: A Bill for an Act entitled: "An Act to amend Section 2038, Revised Codes of Montana, 1921, as amended by Chapter 43 of the Laws of the Nineteenth Legislative Assembly of the State of Montana, 1925, relating to traveling expenses of Assessors and their deputies."

By Peterson of Valley: A Bill for an Act entitled: "An Act providing for county support of public schools, and for tax levies to provide the necessary revenue therefor, and for the transportation of pupils."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 122, entitled: "An Act relative to the qualifications of superintendents or principals of high schools," respectfully report as follows: That House Bill No. 122 do not pass.

PETERSON of Valley, Chairman.

On motion of Peterson of Valley, report adopted.

Mr. Speaker: We, your Committee on Public Safety, having had under consideration, House Bill No. 127, entitled: "An Act relating to machine guns, and their association with crimes of violence as herein defined, providing presumptions respecting the use or possession thereof, search warrants for machine guns, registration of the same, and to make uniform the law with reference thereto," respectfully report as follows: That House Bill No. 127 do pass.

EMMETT, Chairman.

On motion of Emmett, report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 91, entitled: "An Act to amend Section 5138 of the Revised Codes of Montana, 1921, as amended by Section 1 of Chapter 135 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana, relating to hours of work of members of paid fire departments of cities of the first and second class, providing a minimum compensation for members of paid fire departments of cities of the first class, providing that members of paid fire departments of cities of the second class shall suffer no reduction in salary on account of the operation thereof, providing penalties for a violation thereof, and repealing all Acts or parts of Acts in conflict therewith," respectfully report as follows: That House Bill No. 91 do pass.

MULHOLLAND, Chairman.

On motion of Mulholland, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Resolution No. 6 pertaining to an investigation of

relief matters and conditions," respectfully report as follows: That House Resolution No. 6 be adopted.

BOONE, Chairman.

On motion of Boone, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR
AND THE SENATE

The Speaker,
House of Representatives,
Helena.

I have the honor to advise that I have this day approved House Joint Memorial No. 3: Memorializing the President and Congress of the United States for a grant of land containing a hot water spring for the use and benefit of the State of Montana, as an infantile paralysis sanatorium.

F. H. COONEY, Governor.

It was moved by Byrne, duly seconded and carried, that the messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 60, by Groene of Fergus, was this day read three several times and concurred in, title and history agreed to, and bill is herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee on Roads and Highways this day, having had under consideration S. B. No. 38, by Keeley, respectfully report and recommend that said bill do not pass, report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time and referred to committees:

S. B. No. 51, by Holton: A Bill for an Act entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Sections 6, 7, 8, 9, 10 and 11 of Article XXI of the Constitution of the State of Montana relating to the investment and administration as separate and integral funds of the Montana trust and legacy fund, the public school permanent fund, the other permanent funds originating in land grants from the United States for the support of higher institutions of learning, and other funds." Referred to Committee on State Boards and Offices.

S. B. No. 52, by Carroll: A Bill for an Act entitled: "An Act to amend Section One (1) of Chapter One Hundred and Fifty-seven (157) of the Session Laws of Montana for 1933, relating to the gasoline dealers' license tax and requiring such dealers to file with the State Board of Equalization a bond conditioned for the payment of gasoline license taxes." Referred to Committee on Oil and Leases.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Meyer: A Bill for an Act entitled: "An Act amending Section 8437 R. C. M. 1921, relating to negotiable instruments, and requiring an affidavit as to the amount due on such instruments at the time of negotiation."

By Meyer: A Bill for an Act entitled: "An Act amending Section 8412 R. C. M. 1921, as amended by Chapter 143 of the Session Acts of the Eighteenth Legislative Assembly of Montana of 1923, relating to provisions affecting the negotiability of instruments."

By Page: A Bill for an Act entitled: "An Act providing for the regulation of all movietone picture shows within the state; providing for a movietone picture supervisory board; the regulation of all film distributing houses and a method for the proper distribution of all films within the state and regulating all advertising in all movietone picture shows."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Printing: Reported Senate Bill No. 39 correctly printed, report adopted.

Committee on Engrossed Bills: Reported Senate Bills Nos. 20 and 34 and S. J. R. No. 4 correctly engrossed, report adopted.

Committee on Banks and Banking: That S. B. No. 36 do pass, report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. B. No. 6 do pass.

That S. B. No. 34 be amended by striking on page 2 of the printed bill the following words at the beginning of Section 3 thereof, "That separate official ballots shall be provided at the next bi-annual regular general election to be held in November, 1936, which", and inserting in lieu thereof the words, "The regular official ballot provided for by Section 678, R. C. M. 1921, to be used at the election specified in Section 1 of this Act," and as so amended, recommend that said S. B. No. 34 do pass.

That H. B. No. 60 be concurred in.

Report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motions were this day made, duly seconded and carried:

By Senator Armstrong: That Senate Bill No. 3 be printed and placed on General File, this bill having come out of the Committee on Railroads and Transportation with both a minority and majority report, and neither reports adopted.

By Senator Arnold: That S. B. No. 34 be taken from Third Reading and referred to General File for amendment.

By Meyer: That S. B. No. 45 be taken from the Committee on Banks and Banking and re-referred to the Judiciary Committee.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the request of the House for a Conference Committee from the Senate to act with a like committee from the House for consideration of Senate amendments to House Bill No. 16, is hereby granted, and the following Senators were named by the President to act as such Conference Committee: Cotter, Sparling and Holton.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee on Oil and Leases this day, having had under consideration S. B. No. 52, by Carroll, respectfully report and recommend that said S. B. No. 52 do pass, report adopted.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Shannon: A Bill for an Act entitled: "An Act to amend Section Four (4) of Chapter Six (6) of the Session Acts of Montana, Twenty-first Session of 1929, relating to the production, use, sale, dispensing, and possession of marihuana, or any derivative, and making it a felony for the violation of the provisions hereof, and repealing Acts and parts of Acts in conflict herewith."

By Wass: A Bill for an Act entitled: "An Act to amend Section 3694 of the Revised Codes of Montana of 1921, as amended by Chapter 162 of the Session Laws of the Twenty-second Legislative Assembly of 1931, relating to the taking of fish and game, and the powers of the Fish and Game Commission."

By Campbell: A Bill for an Act entitled: "An Act establishing a State Temperance Commission, for the purpose of promoting temperance and decreasing the intemperate use of alcoholic liquors; preventing the use the liquor traffic to cover the cost of administering this Act; and making thereof by minors; creating a special state fund to be derived only from an appropriation from the general fund to meet expenses incident to administration of the Act before funds are available in the treasury to the credit of the 'temperance commission fund' herein established, and providing for the repayment of such appropriation to the general fund when moneys are available in the State Treasury to the credit of the 'temperance commission fund' herein provided for."

By Sparling: A Bill for an Act entitled: "An emergency Act relating to the granting of relief from mortgage foreclosure and from execution sales of real estate; providing for extending the period of redemption from said mortgage foreclosure and execution sales, and designating the procedure to obtain such relief and the authority of courts in relation thereto; limiting the rights to maintain actions for deficiency judgments; extending the expiration of certain periods of redemption, and repealing all Acts and parts of Acts in conflict herewith."

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Fish and Game: That S. B. No. 49 do pass, report adopted.

Committee on Elections and Privileges: That H. B. No. 47 be concurred in, report adopted.

Committee on Election and Privileges: That S. B. No. 47 be referred to the Committee on Constitutional Amendments, report adopted.

Committee on Fairs and Expositions: That S. B. No. 16 do not pass, but that Substitute S. B. No. 16, introduced by Committee on Fairs and Expositions: A Bill for an Act entitled: "An Act to abolish the Montana State Fair; authorizing the transfer of State Fair property to the County of Lewis and Clark; reserving certain property to the State Highway Commission and permitting use of certain grounds by the State Fish and Game Commission for the purpose of maintaining a game farm, and repealing Sections 1580 to 1582 inclusive, and Sections 3640 to 3644 inclusive, Revised Codes of 1921 and all other Acts and parts of Acts in conflict herewith," do pass, report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Mr. Speaker: WHEREAS, There are in the Capitol Building certain departments which offer distinct service of an important and helpful nature to the members of the Legislature, such as the Historical Library, the Law Library, the Board of Equalization, the Railroad and Public Service Commission, the Attorney General's Office, the Department of Agriculture and other departments from which information of a valuable kind can be obtained and a valuable service rendered to the members of the Legislature; and

WHEREAS, Many of the members of the Legislature are new at legislative work and are unfamiliar with the Capitol Building; and

WHEREAS, It is highly desirable that they should be apprised of the facilities of these various departments which are available and the manner in which the services may be secured;

THEREFORE, MR. SPEAKER, I MOVE That the Speaker be authorized to appoint a committee of five to visit these various departments and report, not later than Monday, February 4th, to the House, setting forth the advantages and facilities of the various departments of the Capitol Building.

FOWLER.

Motion was seconded and carried.

Mr. Speaker: WHEREAS, There seems to be a general impression prevalent in the Legislature that members of the Legislature may, during their term of office, be appointed to state offices by the Chief Executive of the state; and

WHEREAS, Article V, Section 7 of the Constitution of the State of Montana reads as follows: "No Senator or Representative shall, during the term for which he shall have been elected, be appointed to any civil office under the state"; and

WHEREAS, it would be highly desirable for the members of the Legislature to understand exactly the constitution with relation to this important matter;

THEREFORE, BE IT RESOLVED That the Judiciary Committee be instructed to prepare a statement relative to this particular section of the constitution of the state, together with its interpretation by the courts, and report the same to the House of Representatives, not later than Tuesday, February 5th.

FOWLER.

Motion was seconded and carried.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF THE SAME

The following were introduced, read first and second time and referred to committees; all appropriation measures having been read at length:

House Memorial No. 2, introduced by Monahan: "A Memorial memorializing the Congress of the United States, and the Secretaries of Agriculture, and of the Interior, to conduct a thorough investigation into the complaints of ranchers residing in the Tom Minor Basin, with reference to the action of the National Park Service, and the Game Preservation Association, in withdrawing 43 square miles of range land from the use of said ranchers, and annexing such land to Yellowstone National Park." Referred to Committee on Livestock and Public Ranges.

House Bill No. 146, introduced by Haight: A Bill for an Act entitled: "An Act to amend Sections 4 and 8 of Chapter 105, Session Laws of the Twenty-third Legislative Assembly, 1933, relating to the 'State Liquor Control Act of Montana', administration of this Act, creation of board, and its powers and functions." Referred to Committee on Public Morals, Charities and Reforms.

House Bill No. 147, introduced by Petersen of Sheridan, by request: A Bill for an Act entitled: "An Act declaring the policy of the state to establish a uniform system of free, public schools, and providing state support therefor, and for the distribution thereof, creating the state public school general fund." Referred to Committee on Education.

House Bill No. 148, introduced by Toomey: A Bill for an Act entitled: "An Act to secure the attendance of witnesses from without the state in criminal cases, providing summons with respect to such witnesses, exemptions from arrest and service of process, and to make uniform the law with reference thereto." Referred to Committee on Judiciary.

House Bill No. 149, introduced by Stimatz: A Bill for an Act entitled: "An Act relative to instructions printed on election ballots." Referred to Committee on Privileges and Elections.

House Bill No. 150, introduced by Manning: A Bill for an Act entitled: "An Act to amend Section 10149, Revised Codes of Montana, 1921, providing that estates of less than Fifteen Hundred Dollars to go to wife and child, those less than Three Thousand to be summarily administered." Referred to Committee on Public Morals, Charities and Reforms.

House Bill No. 151, introduced by Manning: A Bill for an Act entitled: "An Act to amend Section 10145, Revised Codes of Montana, 1921, providing that all property exempt from execution, including the homestead to be set apart for use of family." Referred to Committee on Revenue and Taxation.

House Bill No. 152, introduced by Committee on Water Conservation and Flood Control: A Bill for an Act entitled: "An Act providing for the creation of a State Planning Board for the State of Montana and prescribing the powers and duties of said board; providing for the method for the appointment of the members thereof and making an appropriation therefor; and repealing Chapter 39 of the Extraordinary Session Laws of

the Twenty-third Legislative Assembly." Referred to Committee on Appropriations.

House Bill No. 153, introduced by Groene of Fergus: A Bill for an Act entitled: "An Act amending Section 3694 of the Revised Codes of Montana as amended by Chapter 59, Laws of the Twentieth Legislative Assembly of the State of Montana, 1927, as amended by Chapter 162, Laws of the Twenty-second Legislative Assembly, 1931, relating to the restrictions of the manner of taking and possessing fish and game, and granting and giving to the State Fish and Game Commission of the State of Montana, authority to change or suspend closed seasons on game birds and animals, game fish and fur-bearing animals, so as to meet existing conditions, and also, to make and promulgate rules and regulations for the killing, taking, capturing and possessing of game fish, game birds, game and fur-bearing animals; prescribing penalties for a violation of this Act and repealing all Acts and parts of Acts in conflict with the provisions hereof." Referred to Committee on Fish and Game.

House Bill No. 154, introduced by Lemmer: A Bill for an Act entitled: "An Act to amend Section 3722, Revised Codes of Montana, 1921, as amended by Section 19, Chapter 59 of the Laws of the Twentieth Legislative Assembly of the State of Montana, relative to the protection and trapping of beaver." Referred to Committee on Fish and Game.

House Bill No. 155, introduced by Judiciary Committee, by request: A Bill for an Act entitled: "An Act providing that upon conviction for crime, in addition to the punishment prescribed, and as a part of the sentence, the court may impose upon the defendant the duty to pay the whole or any part of the disbursements of the prosecution, limiting amount in courts not of record, and providing for its collection by execution or enforcement in the same manner as the sentence." Referred to Committee on Judiciary.

House Bill No. 156, introduced by the Committee on Public Health and Sanitary Affairs, by request: A Bill for an Act entitled: "An Act amending Sections 4 and 8 of Chapter 104, Laws of 1929, of the 21st Legislative Assembly of the State of Montana relating to the practicing or teaching of beauty culture." Referred to Committee on Public Health and Sanitary Affairs.

House Bill No. 157, introduced by Mitchell, Ryan and O'Brien: A Bill for an Act entitled: "An Act for a bill requiring all banks doing business in the State of Montana to furnish an annual report of unclaimed deposits on the first day of March of each year after the passage and approval hereof to the Superintendent of Banks and providing for the publication of the names and addresses of each person and providing for an examination by the Bank Examiner of the books of the bank at least thirty days prior to March first of each year for the purpose of discovering all unclaimed deposits in either a general checking savings account or otherwise or held upon certificates of deposit or in any other way by said banks and being unclaimed for a period of seven years or more prior to March first of each year and providing further for the payment of all funds unclaimed deposits for said period of time into State Treasury and upon proper distribution to the County Treasury where said bank or banks may be situated to be paid into a fund known as the old age pension fund, the Montana teachers welfare fund and upon the failure of an old age pension fund to be divided equally between the mother's pension fund and widow's pension fund." Referred to Committee on Banks and Banking.

House Bill No. 158, introduced by Gordon and Lippard: A Bill for an Act entitled: "An Act to amend Section 9309 of the Revised Codes of Montana, 1921, relating to moneys paid to the Clerk of the District Court as trust funds, providing for the procedure to be followed in the receipt

and disbursement of the same, and the disposition to be made of unclaimed balances." Referred to Committee on Banks and Banking.

The following bills were referred to the Committee on Judiciary:

House Bill No. 159, introduced by Judiciary Committee, by request: A Bill for an Act entitled: "An Act to amend Section 11874 of the Revised Codes of the State of Montana, of 1921, relating to departures from the form or mode prescribed by the Penal Code of the State of Montana in respect to pleadings and proceedings."

House Bill No. 160, introduced by Judiciary Committee, by request: A Bill for an Act entitled: "An Act to amend Section 12000 of the Revised Codes of the State of Montana, of 1921, relating to procedure in cases where a juror is unable to perform his duties by reason of sickness."

House Bill No. 161, introduced by Judiciary Committee, by request: A Bill for an Act entitled: "An Act to amend Section 11853 of the Revised Codes of the State of Montana, of 1921, relating to the sufficiency of indictments and information and to defects and imperfections therein."

House Bill No. 162, introduced by Judiciary Committee, by request: A Bill for an Act entitled: "An Act relating to the preparation of transcript on appeal in criminal cases, the filing thereof, authorizing the Appellate Court to extend time for filing transcript, and repealing Section 12116 R. C. M. 1921, relating to duty of clerks upon appeal, and all other Acts and parts of Acts in conflict herewith."

House Bill No. 163, introduced by Judiciary Committee, by request: A Bill for an Act entitled: "An Act to amend Section 12109 of the Revised Codes of Montana of 1921, relating to the time appeals may be taken to the Supreme Court in criminal cases, and repealing all Acts and parts of Acts in conflict herewith."

House Bill No. 164, introduced by Judiciary Committee, by request: A Bill for an Act entitled: "An Act to amend Section 11973 of the Revised Codes of the State of Montana of 1921, relating to separate trials of defendants jointly charged with a public offense."

House Bill No. 165, introduced by Judiciary Committee, by request: A Bill for an Act entitled: "An Act to amend Section 11906 of the Revised Codes of the State of Montana of 1921, relating to objections forming grounds of demurrer and when such objections may be taken."

House Bill No. 166, introduced by Judiciary Committee, by request: A Bill for an Act entitled: "An Act to amend Section 12011 of the Revised Codes of the State of Montana of 1921, being a part of Chapter 26 of Part II, of the Criminal Code of the State of Montana relating to conduct of jury after submission of the case and relating to what papers the jury may take with them upon retiring for deliberation upon their verdict."

House Bill No. 167, introduced by Judiciary Committee, by request: A Bill for an Act entitled: "An Act to amend Section 11971 of the Revised Codes of Montana of 1921, relating to presumption of innocence, and defining the words 'Reasonable Doubt,' and providing that no further instructions need be given a jury in a criminal action upon the subjects herein mentioned."

House Bill No. 168, introduced by Committee on Judiciary, by request: A Bill for an Act entitled: "An Act to amend Section 11847 of the Revised Codes of Montana of 1921, which provides that an indictment or information must charge but one offense except where it is committed by different means, and providing that other offenses, if connected in their commission or of the same class, may be charged in separate counts, and authorizing consolidation of indictments or informations, and providing for the procedure in the trial if several counts or offenses are charged, and repealing all Acts and parts of Acts in conflict herewith."

House Bill No. 169, introduced by Committee on Judiciary, by request: A Bill for an Act entitled: "An Act to amend Section 11870 of the Revised Codes of the State of Montana, being a part of Chapter 17, of Part II, of the Criminal Code of the State of Montana, relating to rules of pleading and forms of the information and indictment and relating to the variance between the charge contained in the indictment or information and evidence offered in proof thereof, and providing that no variance between the statement contained in the indictment or information and the evidence offered in proof thereof shall be grounds for acquittal."

MOTIONS AND RESOLUTIONS

It was moved by Leavitt, duly seconded and carried, that a committee of five be appointed by the Speaker to prepare suitable resolutions of condolence on the death of the Honorable Vern D. Caldwell of Yellowstone and a late member of the House.

It was moved by Leavitt, duly seconded and carried, that a committee of five be appointed by the Speaker to attend the funeral of the late member from Yellowstone, the Honorable Vern D. Caldwell, to be held at Billings, Montana, as Representatives from this House, the expense thereof to be charged as an item of legislative expense.

The Speaker appointed Harwood, Hedden, Nutting, Fowler and Leavitt as the committee to prepare resolutions of condolence on the death of the Honorable Vern D. Caldwell of Yellowstone.

The Speaker appointed Harwood, Hedden, Nutting, Fowler and Haight as the committee representing the House to attend the funeral of Mr. Caldwell, of Yellowstone.

The Speaker appointed the special Committee on Relief and Social Welfare to join with the committee in the Senate to meet with Dr. Butler on administration of relief, as follows: Ritch of Fergus, Chairman; Monahan of Park, Hedden of Yellowstone, Holding of Missoula and Egan of Fergus.

It was moved by Leavitt, duly seconded and carried, that, out of respect to the memory of the late Vern D. Caldwell of Yellowstone, the House now adjourn until February 1, 1935, at 10 o'clock A. M. Friday.

TWENTY-SIXTH DAY

House of Representatives,
Helena, Montana, February 1, 1935.

House convened, pursuant to adjournment at 10:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by Chaplain.

On roll call, all members present except the following, who were excused: Fowler, Harlen, Heavlin, Hedden, Leary, Liggett, Moss.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the twenty-fifth legislative day, find the same to be correct.

CLYDE J. QUIGLEY, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred the following: House Joint Memorial No. 3, do hereby report that said memorial together with a copy thereof, signed by the Speaker of the House and President of the Senate, this day, at the hour of 4 o'clock P. M., delivered to the Governor for his approval.

MONAHAN, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bill No. 85.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing, beg leave to report the following correctly printed: House Bills Nos. 99, 23, 107, 88, 112, 96, 64, 29, 72. Substitute House Bills Nos. 44 and 36 and House Joint Memorial No. 6.

McCAUSLAND, Chairman.

Without objection, report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Hinerman, Masterson, York, Chamberlain, Miller of Roosevelt, Spiegel, Quigley, Neary, Chapman, O'Byrne, Peterson of Valley, Petersen of Sheridan, Kathan, Whaley, Ryan, Mulholland, Anderson, Joffray, Ormsbee, Johnson, Nelson, Ballard: A Bill for an Act entitled: "An Act to provide for the Torrens land title system."

By Committee on Insurance, by request: A Bill for an Act entitled: "An Act to amend Section 6339 of the Revised Codes of Montana of 1921, as amended by Chapter Fifty-five of the Session Laws of the Twenty-second Legislative Assembly of the State of Montana, relating to the payment of death and annuity benefits upon lives of children; providing for the organization and operation of a branch of the society for children, and providing for the amount of benefits payable thereunder."

By Mulholland, O'Byrne: A Bill for an Act entitled: "An Act for the recovery of attorney fees as damages in actions for recovery, benefits or money due under or by virtue of the terms of any written contract of insurance; providing that the jury may fix said attorney fees and allow them as damages in cases where there is found to be fraud, lack of diligence or vexatious delay on the part of the insurer."

By Lemmer: A Bill for an Act entitled: "An Act relative to the open and closed season on bear."

By Nutting: A Bill for an Act entitled: "An Act validating bonds, warrants and other evidences of indebtedness heretofore issued by any irrigation district in the State of Montana."

By Committee on Fairs and Expositions, Bertsche, Chairman: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 30 of the Laws of the Twentieth Legislative Assembly of the State of Montana, providing for the appointment, qualification, and term of office of County Fair Commissioners, and defining their powers and duties."

By Goodwin, Toomey, and Stromnes: A Bill for an Act entitled: "An Act to fix the minimum wage to be paid members of the police department of cities of the first and second class of the State of Montana, and those other cities and towns which have now elected, or shall hereafter elect to come under the provisions of Chapter 120 of the Session Laws of the Twenty-first Legislative Assembly of the State of Montana."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on townships and counties, having had under consideration House Bill No. 89, entitled: "An Act to provide

a bounty on gophers and provide the method of payment of the same," respectfully report as follows: That House Bill No. 89 do not pass.

BALLARD, Chairman.

It was moved by Ballard, duly seconded, that report be adopted.

On substitute motion, it was moved by McLaughlin, duly seconded and carried that House Bill No. 89 be re-referred to the Committee on Revenue and Taxation.

Mr. Speaker: We, your Committee on Roads and Highways, having had under consideration House Bill No. 115, entitled: "An Act to amend Section 11 of Chapter 19 of the Session Laws of the Twentieth Legislative Assembly of Montana of 1927 relating to gasoline exempted from payment of the gasoline tax," respectfully report as follows: That House Bill No. 115 do not pass.

CUSICK, Chairman.

On motion of Cusick, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 132, entitled: "An Act to amend Section 1998 Revised Codes of Montana, 1921, relating to exemption from taxation," respectfully report as follows: That House Bill No. 132 do not pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 83, entitled: "An Act to amend Section 5127 of the Revised Codes of Montana, 1921, as amended by Section 9 of Chapter 58 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana, as amended by Section 1, Chapter 127 of the Session Laws of the Regular Session of the Twenty-third Legislative Assembly of the State of Montana relative to the manner in which the State Auditor of the State of Montana shall pay to the fire department relief associations, legally organized and existing in the several cities and towns in the State of Montana, their respective share of the license fees collected from fire insurance companies licensed to do business in the State of Montana," respectfully report as follows: That House Bill No. 83 do pass.

O'BYRNE, Chairman.

On motion of O'Byrne, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 76, entitled: "An Act to amend Section 4932 of the Revised Codes of the State of Montana, 1921, to allow constables salaries in certain townships," respectfully report as follows: That House Bill No. 76 be referred to the Committee on Affairs of Cities.

BALLARD, Chairman.

On motion of Ballard, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 136, entitled: "An Act providing for the conversion of building and loan associations and other home financing organizations into Federal savings and loan associations, prescribing the procedure therefor, defining the results thereof and providing for the indebtedness of such association," respectfully report as follows: That House Bill No. 136 do pass.

ACHER, Chairman.

On motion of Acher, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 77 entitled: "An Act to amend Section 14 of Chapter 147 Acts of the Twentieth Legislative Assembly entitled: 'An Act relating to school district bonds: Granting Boards of Trustees of school districts of all classes the power to issue, negotiate and sell or exchange bonds for certain purposes under certain limitations and restrictions: Providing the manner of holding bond elections and prescribing the qualifications of electors; prescribing the procedure covering the issuing, sale, or exchange of such bonds; providing for payment of the principal and interest of such bonds; prescribing the duties of Boards of School Trustees; Boards of County Commissioners, and County Treasurers in connection with the levying and collection of taxes for the payment of principal and interest of such bonds; and repealing Sections 1032, 1230, 1232 and Section 1244 to 1251 inclusive, of the Revised Codes of Montana of 1921; repealing Sections 1224, 1225, 1226, 1228 and 1229 of the Revised Codes of Montana of 1921, as amended by Chapter 153 of the Laws of the Eighteenth Legislative Assembly; repealing the said Chapter 153, and all other Acts and parts of Acts in conflict with the provisions of this Act," respectfully report as follows: That House Bill No. 77 be amended as follows: Strike out all of title of said bill after the word "entitled" in line 2 of the original bill and insert in lieu thereof the following:

"Relating to the percentage of electors required to vote on and to authorize a bond issue; providing when question of bond issue can be resubmitted and repealing all Acts and parts of Acts in conflict herewith."

Amend Section 1, lines 17 and 19 of the original bill, by striking out the word and number "forty (40)" and inserting the word and number "sixty (60)", and as amended, do pass.

PETERSON OF VALLEY, Chairman.

On motion of Peterson of Valley, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 80 entitled: "An Act to amend Subdivision 3 of Section 8 of Chapter 65, Session Laws of 1923, relating to an Act to establish a tax on direct and collateral inheritances, bequests and devises; to provide for its assessment and collection; directing the dispositions of the proceeds thereof. All Acts and parts of Acts in conflict herewith are hereby repealed," respectfully report as follows: That House Bill No. 80 be amended as follows: By adding to Section 8 of Chapter 65, Session Laws 1923, subdivisions one and two as follows:

Section 8. (1) Refunding Tax. If any debt shall be proved against the estate of the decedent, after the payment of any legacy or distributive share thereof, from which any such tax has been deducted, or upon which it has been paid by the person entitled to such legacy or distributive share and such person is required by the order of the District Court having jurisdiction of the tax so deducted or paid, to refund the amount of such debts or any part thereof, an equitable proportion thereof shall be repaid to such person by the executor, administrator or trustee, if the said tax has not been paid to the County Treasurer or State Treasurer, or by them, in the proper proportionate shares, if it has been so paid.

(2) How Refund of Tax Made. When any amount of said tax shall have been paid erroneously to the County and State Treasurer, or to either of them it shall be lawful for them, on satisfactory proof to the State Board of Equalization of such erroneous payment, to refund to the executor, administrator, person or persons who shall have paid any such tax in error, the county's and state's proportionate amount of such tax so paid; provided that all such application for refund shall be made within two (2) years from the date of such payment, and as amended, do pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR
AND THE SENATE

It was moved by Byrne, duly seconded and carried, that the messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence:

S. B. No. 6, by Committee on Banks and Banking.

S. B. No. 34, by Arnold, Ekegren, et al.

S. B. No. 35, by Committee on Judiciary.

S. B. No. 42, by Meyer and Pauline.

Respectfully,

C. J. McALLISTER,

Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Standing Committees this day reported as follows:

Committee on Printing: That Senate Bills Nos. 11, 12, 25, 31, and 37 have been correctly printed, report adopted.

Committee on Engrossed Bills: That Senate Bills Nos. 6, 34, 35 and 42 have been correctly engrossed, report adopted.

Committee on Fairs and Expositions: That Substitute for Senate Bill No. 16 do pass, report adopted.

Committee on Insurance: That S. B. No. 14 do not pass, report adopted.

Respectfully,

C. J. McALLISTER,

Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Military Affairs: That H. B. No. 50 be amended in line 18 by striking out the words and figures, "prior to the year 1922"; and as so amended, recommend H. B. No. 50 be concurred in, report adopted.

Committee on Counties and Towns: That S. B. No. 50 be amended in Section 1, line 27, page 1, by striking out the comma after the word "calamity" and before the word "or" and inserting in lieu thereof a period, and by striking out the remainder of the sentence thereafter, beginning with the word "or" and ending with the word "nature."

And as so amended, recommend S. B. No. 50 do pass, report adopted.

Committee on Finance and Claims: That S. B. No. 13 do not pass. Substitute motion duly seconded and carried, to have the bill printed.

Respectfully,

C. J. McALLISTER,

Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time, and referred to committees:

S. B. No. 53, by Shannon: A Bill for an Act entitled: "An Act to amend Section 4 of Chapter 6 of the Session Acts of Montana, Twenty-first Session 1929, relating to the production, use, sale, dispensing and possession of marihuana, or any derivative, and making it a felony for the violation of the provisions hereof, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Public Morals.

S. B. No. 54, by Committee on Education: A Bill for an Act entitled: "An Act amending Section 835 of the Revised Codes of Montana of 1921, as amended by Chapter 146, Laws of 1929, relating to the meetings and expenses of the State Board of Education." Referred to Committee on Education.

S. B. No. 55, by Oliver: A Bill for an Act entitled: "An Act to permit real property to be redeemed from tax sale by paying the original tax, provided such original taxes be paid on or before December first, 1936, and extending the time of taking tax deed to December first, 1936." Referred to Committee on Taxation.

S. B. No. 56, by Wass: A Bill for an Act entitled: "An Act to amend Section 3694 of the Revised Codes of Montana of 1921, as amended by Chapter 162 of the Session Laws of the Twenty-second Legislative Assembly of 1931, relating to the taking of fish and game, and the powers of the Fish and Game Commission." Referred to the Committee on Fish and Game.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day introduced, read first and second time, and referred to the Committee on Public Morals:

S. B. No. 57, by Campbell: A Bill for an Act entitled: "An Act establishing a State Temperance Commission, for the purpose of promoting temperance and decreasing the intemperant use of alcoholic liquors; preventing the use thereof by minors; creating a special state fund to be derived only from the liquor traffic to cover the cost of administering this Act; and making an appropriation from the General Fund to meet expenses incident to administration of the Act before funds are available in the treasury to the credit of the 'Temperance Commission Fund' herein established, and providing for the repayment of such appropriation to the General Fund when moneys are available in the State Terasury to the credit of the 'Temperance Commission Fund' herein provided for."

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced in the Senate, read first and second time, and referred to committees:

H. B. No. 7, by Ecton, Buttelman and Peterson of Gallatin; to Committee on State Boards and Officers.

H. B. No. 61, by Stromnes; to Judiciary Committee.

H. B. No. 62, by Leavitt; to Judiciary Committee.

H. B. No. 73, by Byrne; to Finance and Claims Committee.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That Senate Bill No. 39 do pass.

That House Bill No. 47 be concurred in.

Report adopted.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Coburn: A Bill for an Act entitled: "An Act to amend Section 5766 of the Revised Codes of Montana of 1921, relating to the appearance of the state in each divorce action through its legal representatives, and to the period of residence required to entitle plaintiff to divorce."

By Coburn: A Bill for an Act entitled: "An Act to amend Section 5766 of the Revised Codes of Montana of 1921, relating to the period of residence required to entitle plaintiff to divorce."

By Anderson and Sibbert: A Bill for an Act entitled: "An Act requiring mortgages under chattel or real property mortgages to file in the office of the County Clerk and Recorder of the county or counties where the mortgages are filed or recorded in, a satisfaction or discharge of the same for filing or recordation, and providing for a penalty for failure so to do."

By Parkin: A Bill for Act entitled: "An Act to amend Section 1 of Chapter 44 of the Acts of the Extraordinary Legislative Assembly of Montana of 1933-34, relating to the levy of special taxes for the payment of school district warrants outstanding July 1, 1934, and requiring the inclusion in the budget allotment of distirct and county high schools of delinquent warrants hereafter paid out of the county high school tax moneys, and repealing all Acts in conflict herewith."

By Hollenback and Cotter: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 19 of the Session Acts of the Twentieth Legislative Assembly of Montana of 1927, as amended by Section 1 of Chapter 170 of the Session Acts of the Twenty-third Legislative Assembly of 1933, defining the terms used in the Act requiring the payment of license taxes by gasoline dealers."

By Hollenback and Arnold: A Bill for an Act entitled: "An Act to amend Section 2201 R. C. M. 1921, as amended by Chapter 125 of the Session Acts of the Twenty-third Legislative Assembly of Montana of 1933, relating to the time of redemption of property from tax sales."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Haight, duly seconded, that the Committee appointed to investigate the charges against Tom Carey be discharged and that a new committee composed of Stevens of Cascade, Rolph of Liberty, Manning of Treasure, Worden of Missoula and Haight of Fergus be appointed to do the work outlined for the previous committee.

The Speaker ruled the motion out of order and Haight of Fergus appealed from the decision of the Chair.

Rolph in the Chair.

A call of the House was demanded by the required number.

It was moved by Burris, duly seconded and carried, that the call of the House be dispensed with.

Haight of Fergus withdrew his appeal from the decision of the Chair, and amended his motion to read as follows: "That the Committee to investigate Tom Carey be discharged and a new committee be appointed by the Chair."

On substitute motion, it was moved by Brennan, duly seconded, that the committee to investigate Tom Carey be discharged and all action on the original motion be indefinitely postponed.

After considerable debate, Burris moved the previous question. Seconded and carried.

A roll call was demanded and that the "ayes" and "nays" be entered on the Journal. The roll call was taken and resulted in the following vote:

Ayes: Acher, Ballard, Bertsche, Boone, Brennan, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Egan, Emmett, Emmons, Ewing, Gordon, Hamilton, Holding, Hinerman, Kathan, Kuhl, Lasby, Lemmer, Lippard, Masterson, Miller (Roosevelt), Mitchell, Monahan, Mulholland, Neary, O'Brien, O'Byrne, Ormsbee, Peterson (Valley), Ryan, Sexton, Sherman, Spiegel, Whaley, York. Total 40.

Noes: Ahlgreen, Anderson, Balgord, Busch, Buttelman, Byrne, Doe, Ecton, Foor, Goodwin, Gray, Green (Dawson), Groene, (Fergus), Haight, Hall, Harlen, Haugan, Joffray, Johnson, Kelly, Kruse, Leavitt, Lott, Lovell, McCausland, Manning, Metlen, Miller (Big Horn), Minette, Mundy, Nelson, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Ritch, Rolph, Scofield, Smith, Southmayd, Stevens, Stimatz, Stromnes, Toomey, Watson, White (Judith Basin), White (Hill), Worden. Total 50.

The following passed their vote: Burris, McLaughlin, Mr. Speaker. Total 3.

Absent and not voting: Fowler, Harwood, Heavlin, Hedden, Leary, Liggett, Moss, Nutting. Total 8.

The Speaker: 40 have voted "aye". 50 have voted "no"; the motion to postpone indefinitely is lost.

Whereupon Haight's amended motion, that the committee to investigate Tom Carey be discharged and a new committee be appointed by the Chair, was put and carried.

It was moved by Byrne, duly seconded, that House Rule No. 48, relating to roll calls in the House, be, and the same is hereby amended to read as follows: "Rule 48. Roll call. A roll call shall be ordered and the "ayes" and "noes" shall be entered upon the Journal at the request of two members. Motion was referred to the Committee on Rules, Joint Rules and Order of Business.

It was moved by Ballard, duly seconded, that the investigating committee, when same is appointed, be required to bring all important witnesses for and against Mr. Carey to testify on sworn affidavit before this House on final presentation of committee hearing.

On substitute motion, it was moved by Stromnes, duly seconded and carried, that the motion by Ballard be indefinitely postponed.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF THE SAME

The following bill was introduced, read first and second time and referred to the Committee on Banks and Banking:

S. B. No. 6, introduced by Committee on Banks and Banking: A Bill for an Act entitled: "An Act amending Sections 1 and 2, Chapter 5, Laws of Montana, Extraordinary Session, 1933-34, permitting any executor, administrator, guardian, or conservator, trustee or other fiduciary to invest funds eligible for investment in bonds of the Home Owners' Loan Corporation; making obligations of National Mortgage Association or similar credit institutions now or hereafter organized under Title III of the National Housing Act and bonds of the Home Owners' Loan Corporation eligible for investment purposes for any insurance company, building and loan association, bank, trust company, investment company, or other financial institutions operating under the laws of this state; making such bonds security for all deposits of public funds or other obligations for which

depository bonds or any kind of bonds or other securities are required; declaring an emergency."

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed, Mr. Speaker in the Chair.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF THE SAME

The following were introduced, read first and second time and referred to committees:

S. B. No. 34, Introduced by Arnold, Ekegren, Oliver, Hollenback, Kalberg, Carroll, Cooper, Cotter, Holton, Larson, Angvick, Keeley, Kelsey, Lamp, Simmons, Harris, Liess, Garrison, Sibbert, Thien, Coburn, MacGilvra, Plank, Hammond, Anderson, Clifford, Delaney, Benjamin, Hennessy, Nass, Colbo, Blankenbaker, Plumer, Sparling, Meyer, Putnam, Page, Baker, Murphy, Danielsens, Metlen, Holt, Sullivan: A Bill for an Act entitled: "An Act to provide for the submission to the qualified electors of the State of Montana of an amendment to Article XVI of the Constitution of the State of Montana by adding thereto a section to be known as Section 8 prohibiting the abandonment, abolition, and/or consolidation of counties in whole or in part or at all except by a majority vote of the duly qualified electors in the county or counties proposed to be abandoned, abolished and/or consolidated." Referred to Committee on Townships and Counties.

S. B. No. 35, Introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act to authorize the Montana State Board of Pharmacy to enact a rule requiring pharmacists to keep a poison register, and providing penalties for violations of such rule." Referred to Committee on Public Health and Sanitary Affairs.

S. B. No. 42, Introduced by Meyer and Pauline: A Bill for an Act entitled: "An Act to amend Section 2899 of the Revised Codes of Montana of 1921, relating to Workmen's Compensation." Referred to Committee on Workmen's Compensation.

H. B. No. 170, Introduced by Minette and Moss: A Bill for an Act entitled: "An Act creating a highway patrol for the State of Montana which shall operate under the direction and supervision of the Maintenance Department of the State Highway Commission; providing for its organization, operation, regulation, powers and duties; providing for the expense and maintenance of same; providing for the disposition of fines and forfeitures collected in enforcing state highway statutes and regulations; providing penalties for the violation of this Act; and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Highways.

H. B. No. 171, Introduced by Lemmer: A Bill for an Act entitled: "An Act to prohibit the offering or giving of prizes for any game or fish taken within this state and providing for penalties for the violation thereof." Referred to Committee on Fish and Game.

H. B. No. 172, Introduced by Peterson of Valley: A Bill for an Act entitled: "An Act providing for county support of public schools, and for tax levies to provide the necessary revenue therefor, and for the transportation of pupils." Referred to Committee on Education.

H. B. No. 173, Introduced by Haight: A Bill for an Act entitled: "An Act to amend Chapter 51 of the Session Laws of the Extraordinary Session of the Twenty-third Legislative Assembly, 1934, relating to the

license tax on the gross proceeds of electricity and electrical energy, and providing for the distribution thereof." Referred to Committee on Revenue and Taxation.

H. B. No. 174, Introduced by Brennan and Egan: A Bill for an Act entitled: "An Act declaring the purpose of the State of Montana to engage in the banking business and establish a system of banking under the name of the Bank of Montana operated by the state, and defining the scope and manner of its operation and the powers and duties of the persons charged with its management; making an appropriation therefor; and providing penalties for the violation of certain provisions thereof." Referred to Committee on Appropriations.

H. B. No. 175, Introduced by the Judiciary Committee: A Bill for an Act entitled: "An Act authorizing the extension of the term of existence of any corporation organized under any of the Laws of the State of Montana, providing the procedure therefor, and providing for the filing of certificate of such proceedings with the proper officers." Referred to Committee on Judiciary.

H. B. No. 176, Introduced by Haugan: A Bill for an Act entitled: "An Act to amend Sections 8276, 8277, 8278, 8279 and 8280 of the Revised Codes of Montana, 1921, relating to chattel mortgages, and providing for the expiration of the lien of chattel mortgages as to all persons, and specifying the fees and duties of the Secretary of State in connection with the administration of this Act." Referred to Committee on Judiciary.

H. B. No. 177, Introduced by Committee on Fairs and Expositions: A Bill for an Act entitled: "An Act to amend Section 11149 of the Revised Codes of Montana, 1921, relative to the definition of lotteries." Referred to Committee on Fairs and Expositions.

H. B. No. 178, Introduced by Committee on Fairs and Expositions: A Bill for an Act entitled: "An Act to amend Section 2434, Revised Codes of Montana, 1921, relative to licenses; said amendment being for the purpose of exempting agricultural fairs and veterans organizations from the payment of licenses defined." Referred to Committee on Fairs and Expositions.

H. B. No. 179, Introduced by Committee on Fairs and Expositions: A Bill for an Act entitled: "An Act to amend Section 2430 of the Revised Codes of Montana, 1921, providing for licenses for premiums or bonuses for sale of merchandise." Referred to Committee on Fairs and Expositions.

H. B. No. 180, Introduced by Committee on Fairs and Expositions: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 30 of the Laws of the Twentieth Legislative Assembly of the State of Montana, providing for the appointment, qualification and term of office of County Fair Commissioners, and defining their powers and duties." Referred to Committee on Fairs and Expositions.

H. B. No. 181, Introduced by Goodwin, Toomey and Stromnes: A Bill for an Act entitled: "An Act to fix the minimum wage to be paid members of the police department of cities of the first and second class of the State of Montana, and those other cities and towns which have now elected, or shall hereafter elect to come under the provisions of Chapter 120 of the Session Laws of the Twenty-first Legislative Assembly of the State of Montana." Referred to Committee on Affairs of Cities.

H. B. No. 182, Introduced by Groene, by Request: A Bill for an Act entitled: "An Act to amend Section 12079, Revised Codes of Montana, 1921, relating to persons not entitled to probation of sentence, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Judiciary.

NOTICES

Authors gave notice that they would on tommorw or some subsequent day introduce the following:

By Stromnes: A Bill for an Act entitled: "An Act empowering County Commissioners to advertise for and receive sealed proposals for burial or cremation of the deceased indigents of the county and let contracts pursuant thereto to the lowest responsible bidder."

By Joffray: A Bill for an Act entitled: "An Act making it unlawful for motor vehicles operating in this state to carry for the use of said vehicles auxiliary tanks containing gasoline or other motor fuel and providing a penalty for violation of this Act."

By Joffray: A Bill for an Act entitled: "An Act to amend Sections 16 and 17 of Chapter 184 of the Laws of 1931 relating to the use of the public highways of the State of Montana by Motor Carriers."

By Stevens: A Bill for an Act entitled: "An Act to amend Sections 5, 8 and 10 of Chapter 155, of the Laws of the Twenty-third Legislative Assembly of the State of Montana relating to the operation, maintenance, opening or establishment of stores in this state, prescribing the license and filing fees to be paid therefor, and the disposition thereof, and the powers and duties of the State Board of Equalization in connection therewith, and prescribing penalties for the violation thereof, said amendment being for the purpose of changing the fees, the disposition thereof, and further defining the word "store."

By Lott: A Bill for an Act entitled: "An Act to amend Section 19 of Chapter 60 of the Laws of 1927, as amended by Chapter 151 of the Laws of 1933, and Sections 73 and 76 of Chapter 60 of the Laws of 1927, relative to exchange of state lands, the publication of notice of sale of state lands and regulating the sale thereof."

By Stimatz: A Bill for an Act entitled: "An Act to amend Section 8897, Revised Codes of Montana, 1921, relative to the selection of trial jurors."

By Anderson and Quigley: A Bill for an Act entitled: "An Act to amend Section 3697 Revised Codes of Montana, 1921, as amended by Chapter 192 of the Laws of the Nineteenth Legislative Assembly of the State of Montana, 1925, Chapter 59 of the Laws of the Twentieth Legislative Assembly of the State of Montana, 1927, Chapter 152 of the Laws of the Twenty-second Legislative Assembly of the State of Montana, 1931, and again amended by Chapter 123 of the Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933, relating to open season for deer, and providing penalties for the violation thereof."

By Groene of Fergus, Lemmer, Joffray and O'Connor: A Bill for an Act entitled: "An Act to regulate and license the manufacture and sale, at wholesale or retail, of any and all alcoholic liquors or beverages in the State of Montana; providing for a license tax to be paid by wholesale or retail vendors other than the State of Montana, both as respects licenses issued by the state as well as by cities within the state; providing for the apportionment and distribution of fees collected or moneys earned in the administration of the law; declaring the policy of the law in the sale of alcoholic beverages; and repealing Chapter 105 of the Laws of 1933."

By Watson: A Bill for an Act entitled: "An Act relative to the appointment of a pound master in counties wherein herd districts have been or shall be created; providing for impounding stock running at large in herd districts; providing for the collection of a fee by impounding such stock until the fee is paid, and the disposal of the revenue received therefrom; and providing for the compensation of the pound master."

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Conference Committee, appointed to meet with a like committee of the Senate in regard to the Senate amendments to House Bill No. 16, submit the following report:

We recommend that the House concur in the Senate Amendments.

HAIGHT,
LEAVITT,
TOOMEY,

House Committee.

COTTER,
SPARLING,
HOLTON,

Senate Committee.

On motion of Haight, duly seconded, the report of Conference Committee on Senate amendments to House Bill No. 16 was adopted by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Groene (Fergus), Haight, Hall, Hamilton, Harlen, Haugan, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Lippard, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, O'Brien, O'Byrne, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Smith, Southmayd, Spiegel, Stevens, Toomey, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 86.

Noes: Stimatz, Stromnes. Total 2.

Absent and not voting: Fowler, Green (Dawson), Harwood, Heavlin, Hedden, Leary, Liggett, Miller (Big Horn), Moss, Nutting, Ormsbee, Sherman, White (Judith Basin). Total 13.

The Speaker: 86 have voted "aye", 2 have voted "no", report is adopted by the House.

It was moved by Byrne, duly seconded and carried, that the House pass Third Reading for the day.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Lott in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 87, 88, 90, 100, 101, 102, 103, 104, 105, 106, 108, 109, 110, 111, 54, 55, 99, 23, 107, 112, 96, 29, 72, 64, 37, House Joint Memorials Nos. 1 and 2 and Senate Joint Resolution No. 2, recommend the following:

That House Bill No. 87 be passed for the day.

That House Bill No. 88 be passed for the day.

That House Bill No. 90 do pass.

That House Bill No. 100 be amended as follows: Amend the title in the printed bill in line 2 after the word "amended" the words and figures "by Section 2 of Chapter 96 of the Laws of the Eighteenth Legislative Assembly of 1923"; amend Section 1, line 1 of the printed bill by inserting

in line 1 after the word "amended" the words and figures "by Section 2 of Chapter 96 of the Laws of the Eighteenth Legislative Assembly of 1923"; amend Section 1 in lines 7 and 8 of the printed bill by striking out "two-thirds (2/3)" and inserting in lieu thereof "one-half ($\frac{1}{2}$)" and in line 12 the same change be made; and that House Bill No. 100 do pass as amended.

That House Bill No. 101 do pass.

That House Bill No. 102 be amended as follows: Amend by striking out in line 5 Section 1, of the printed bill, the word "State", and as amended, do pass.

That House Bill No. 103 be amended as follows: Amend Section 1 by striking out in line 5 of the printed bill the word "except" and inserting in lieu thereof the word "including"; amend Section 1 by inserting in line 6 of the printed bill after the word "cities" the words "and irrigation district assessments"; amend Section 1 by striking out in lines 11 and 14 of the printed bill the words and figures "two-thirds (2/3)" and inserting in lieu thereof the words and figures "one-half ($\frac{1}{2}$)"; amend by adding a new section as follows: "Section 2. All Acts and parts of Acts in conflict herewith are hereby repealed."; and renumber the next Section; and that House Bill No. 103 do pass as amended.

That House Bill No. 104 be amended as follows: Amend the title by striking out "and providing for the administration thereof"; and as amended, do pass.

That House Bill No. 105 be amended as follows: Amend the title by inserting in line 2 of the printed bill after the numbers "1921" the following: "As amended by Section 3 of Chapter 158, Laws of the Twenty-third Legislative Assembly of 1933."; amend Section 1 by inserting in line 1 of the printed bill after the word "Montana" the following: "As amended by Section 3 of Chapter 158 of the Laws of the Twenty-third Legislative Assembly of 1933"; amend Section 1, line 5 of the printed bill, by striking out the word "assess" and inserting in lieu thereof the word "Ascertain" and after the word "and" insert the word "assess"; and that House Bill No. 105 do pass, as amended.

That House Bill No. 106 be amended as follows: Amend Section 1, line 6 of the printed bill by inserting the word "voting" before the word "machine"; and as amended do pass.

That House Bill No. 108 do pass.

That House Bill No. 109 do pass.

That House Bill No. 110 do pass.

That House Bill No. 111 do pass.

That House Bill No. 54 and 55 be passed temporarily.

That House Bill No. 99 be passed for the day.

That House Bill No. 23 do pass.

That House Bill No. 107 do pass.

That House Bill No. 112 do pass.

That House Bill No. 96 do pass.

That House Bill No. 29 do pass.

That House Bill No. 72 be passed for the day.

That House Bill No. 64 be passed for the day.

That House Bill No. 37 be passed for the day.

That Senate Joint Resolution No. 2 be concurred in.

That House Joint Memorial No. 2 do pass.

That House Joint Memorial No. 1 do pass.

LOTT, Chairman.

It was moved by Lott, duly seconded, that the report of the Committee of the Whole be adopted.

It was moved by Rolph, duly seconded and carried, that House Bill No. 23 be segregated from the report of the Committee of the Whole.

It was moved by Groene of Fergus, duly seconded and carried, that House Bill No. 29 be segregated from the report of the Committee of the Whole.

On substitute motion, it was moved by Toomey, duly seconded and carried that House Bill No. 102 be segregated from the report of the Committee of the Whole.

Whereupon motion by Lott to adopt report of the Committee of the Whole was adopted as amended.

It was moved by Leavitt, duly seconded and carried, that the House extend to the Hon. Marshall Dana an invitation to speak before the House at 11:00 o'clock A. M. tomorrow and that the Honorable Senate be invited to meet in Joint Session to hear his address.

The Speaker appointed Hamilton of Sanders and Ballard of Wibaux as the additional members to the committee to investigate the conditions of the Liquor Control Board in the State of Montana.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Saturday, 10:30 o'clock A. M., February 2, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

TWENTY-SEVENTH DAY

House of Representatives,
Helena, Montana, February 2, 1935.

House convened, pursuant to adjournment, at 10:30 A. M.

Mr. Speaker in the Chair.

Invocation by Chaplain.

On roll call, all members present except the following who were excused: Hedden, Leary and Moss.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the twenty-sixth legislative day, find the same to be correct.

CLYDE J. QUIGLEY, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed: House Bill Nos. 34, 91, 28, 127.

McCAUSLAND, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bill No. 90.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills be considered correctly engrossed: House Bills Nos. 96, 107, 108, 109, 110, 111.

EWING, Chairman.

Without objection, report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Ormsbee: Bill for an Act entitled: "An Act to amend Sections 1135, 1136, 1137, 1139 and 1140 of the Revised Codes of Montana of 1921 relating to public schools, the compulsory attendance of children, the employment of children during school sessions, the appointment, powers and duties of truant officers, the schooling and relief of pauper children, the prosecution of truants, parents, guardians and employers for violation of the provisions of said sections and providing penalties therefor."

By Connors and Goodwin: A Bill for an Act entitled: "An Act relating to the disposal and destruction of outlaw fish, removed by net from the lakes, streams and rivers of Montana, under the supervision of the State Fish and Game Commission or its employees."

By Stromnes: A Bill for an Act entitled: "An Act creating municipal courts in cities, defining the jurisdiction thereof; providing rules of practice therein; providing for the election and qualification of judges thereof, and the salary and tenure of office of judges. Abolishing certain police courts; repealing Section 4929 Revised Codes of Montana 1921; amending Section 9716 Revised Codes of Montana 1921, and repealing all Acts and parts of Acts in conflict herewith."

By Haight: A Bill for an Act entitled: "An Act to amend Section 14 of Chapter 46 of the Session Laws of the Twenty-third Legislative Assembly, 1933, relating to the regulation and location of beer licensee."

By Ahlgreen: A Bill for an Act entitled: "An Act to promote the development of the Montana Egg Industry; to prohibit the sale of eggs unfit for human food; to prevent deception in the sale of eggs; and to encourage greater consumption thereof by ruling and standardizing the grading, classification and labeling of all eggs displayed for sale; providing penalties for the violation of the provisions of this Act, and repealing Chapter 189 of the Session Laws of the Twenty-second Legislative Assembly and all Acts and parts of Acts in conflict herewith."

By Leavitt: A Bill for an Act entitled: "An Act providing for the levy and imposition of a gross income tax upon the privilege of engaging in occupation in the State of Montana; defining terms used in said Act; providing for exemptions and fixing the basis and rate of tax; prescribing the duties and powers of the State Board of Equalization in the administration of said Act; providing procedure and machinery for administration thereof; fixing the jurisdiction of the courts in connection with review and appeal under this Act; providing for regulatory measures for the enforcement of said Act; providing for the distribution of said tax; providing penalties for the violation hereof and making appropriations and creating reserve funds to carry out its purpose and administration and repealing Chapter 181 of the Laws of the Twenty-third Legislative Assembly, 1933, Chapter 40 of the Extraordinary Session of the Twenty-third Legislative Assembly and all other Acts and parts of Acts in conflict herewith."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 138, entitled: "An Act defining the duration of liens of mortgages upon real estate, and the manner of the extension thereof, and amending Section 8267, of the Revised Codes of Montana of 1921, as amended by Chapter 104 of the Session Laws of the Twenty-third Legislative Assembly of the State of Montana of 1933," respectfully report as follows: That House Bill No. 138 be amended as follows: By striking

out the period and quotation marks at the end of Section One, in line eighteen thereof, and inserting, after the word, "thereafter," the following: "and no longer," and, as amended, do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 97, entitled: "An Act to amend Section 8344, Revised Codes of Montana, 1921, relating to priority of mechanics lien over mortgage," respectfully report as follows: That House Bill No. 97 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 130, entitled: "An Act to amend Section 9629, Revised Codes of Montana of 1921, relating to appearances in Justice Court," respectfully report as follows: That House Bill No. 130 be amended as follows: By striking out the final "s" in the word "Licenses" in line 13, and substituting therefor, the letter "d", and as amended, do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 86, entitled: "An Act to amend Section 3144 and to amend Section 3149 as amended by Chapter 129 of Session Laws of 1933 and Section 3153 of the Revised Codes of Montana of 1921, relative to the definition of chiropractic, renewal and the penalty for violation of Act," respectfully report as follows: That in our opinion, House Bill No. 86 contains no provisions which are unconstitutional or illegal. We recommend that House Bill No. 86 be printed and placed on General Orders.

BOONE, Chairman.

It was moved by Boone, duly seconded, that the report be adopted.

On substitute motion, it was moved by Kelly, duly seconded and carried, that House Bill No. 86 be re-referred to the Committee on Public Health and Sanitary Affairs.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bill correctly enrolled: House Bill No. 60.

MONAHAN, Chairman.

Without objection, report adopted.

Mr. Speaker: I have read House Bill No. 60 as reported from the Enrolling Committee and certify same to be correct.

GROENE OF FERGUS.

The Speaker announced he was about to sign House Bill No. 60, whereupon the clerk read the title of the same and the Speaker did sign in the presence of the House.

It was moved by Byrne, duly seconded and carried, that the House recess temporarily for the informal Joint Session to hear an address by Hon. Marshall Dana.

His Excellency, the Governor, presided at the informal Joint Session and Hon. Marshall Dana addressed the Assembly.

House resumed, Mr. Speaker in the Chair.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR
AND THE SENATE

It was moved by Byrne, duly seconded and carried, that the messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bill No. 39, by Committee on Banks and Banking was this day read three several times and passed, title and history agreed to, and bill is herewith transmitted to the House for concurrence.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 47, by Gordon and Lippard was this day read third time and concurred in, title and history agreed to, and bill is herewith returned to the House.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 50, by Cusick, was this day read third time and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendments:

Senate Committee on Military Affairs amendment to H. B. No. 50:

Amend in line 18 by striking out the words and figures, "prior to the year 1922."

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bill No. 65, by Committee on Agriculture, was this day read three several times and passed, title and history agreed to, and is herewith transmitted to the House for concurrence.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Printing Committee: Reported Senate Bills Nos. 49, 50, 52, 12 and Sub. 16, correctly printed, report adopted.

Committee on Finance and Claims: That H. B. No. 73 be concurred in, report adopted.

Committee on Public Morals: That S. B. No. 53 do pass, report adopted.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the report of the Joint Conference Committee selected for consideration of Senate amendments to House Bill No. 16 was this day adopted.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day report as follows:

Committee on Printing: Reported Senate Bills Nos. 2, 36 and 48 correctly printed, report adopted.

Committee on Engrossed Bills: Reported Senate Bill No. 39 correctly engrossed, report adopted.

Committee on Taxation: That S. B. No. 8 do not pass, but that Substitute S. B. No. 8, a Bill for an Act entitled: "An Act requiring public utilities to file an annual statement of the value of all property for rate making purposes and prescribing the method of assessing such properties for taxation," do pass, report adopted.

Committee on Rules: Gave notice that on tomorrow or some subsequent day they will make a motion to amend Rule 10, Section 9, as follows: "Printing of bills, resolutions or memorials: Five hundred copies of every bill, memorial or joint resolution, requiring three readings, shall be printed after the second reading and favorable report made thereon from a committee. A vote of a majority of the members voting shall be sufficient to order the printing of any bill, memorial or resolution, and such motion, when carried, shall bar any motion or report to postpone indefinitely or any action to annul said measure until the same has been printed."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Blankenbaker: A Bill for an Act entitled: "An Act to amend Section 5308 R. C. M. 1921, as amended by Chapter 54 of the Session Acts of the Twenty-first Legislative Assembly of Montana of 1929, relating to the vacation of plats in abandoned townsite, and repealing all Acts and parts of Acts in conflict herewith."

By Hollenback, Holt and Oliver: A Bill for an Act entitled: "An Act relating to the classification of lands for purposes of taxation; providing for the classification and assessment of lands leased or used for grazing purposes; specifying the powers and duties of the County Board of Equalization in relation to the administration of this Act, and repealing all Acts in conflict herewith."

By Simmons: A Bill for an Act entitled: "An Act fixing the amount of the fee to be paid to the Montana State Fish and Game Warden by a bona fide owner of real estate for a permit to take or destroy beaver on the real estate of said owner only and when such beaver are actually and materially damaging such real estate, and repealing all Acts and parts of Acts in conflict herewith."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time, and referred to committees:

S. B. No. 63, by Coburn: A Bill for an Act entitled: "An Act to amend Section 5766 of the Revised Codes of Montana of 1921, relating to the appearance of the state in each divorce action through its legal representatives, and to the period of residence required to entitle plaintiff to divorce." To Judiciary Committee.

S. B. No. 64, by Coburn: A Bill for an Act entitled: "An Act to amend Section 5766 of the Revised Codes of Montana of 1921, relating to the period of residence required to entitle plaintiff to divorce." To Judiciary Committee.

S. B. No. 65 by Committee on Agriculture: A Bill for an Act entitled: "An Emergency Act relating to grain warehouse storage receipts; authorizing the delivery of grain in warehousemen to the government of the United States under the Federal Seed Stock Act without surrender of the warehouse receipt, and repealing all Acts in conflict herewith." To Committee on Agriculture.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That further consideration of S. B. No. 31 be indefinitely postponed.

That S. B. No. 25 do pass.

That S. B. No. 37 do pass.

That S. B. No. 11 be amended in the title by striking out in line 1 thereof the letters, "R. M. C.," and inserting in lieu thereof the words, "Revised Codes of Montana for";

Be amended in Section 1 by striking out in line 1 the letters, "R. C. M." and inserting in lieu thereof the words, "Revised Codes of Montana for"; and as so amended, recommend said S. B. No. 11 do pass.

That H. B. No. 50 be concurred in.

Report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time and referred to committees:

Sub. S. B. No. 8, by Committee on Taxation: A Bill for an Act entitled: "An Act requiring public utilities to file an annual statement of the value of all property for rate making purposes and prescribing the method of assessing such properties for taxation." Referred to Committee on Taxation.

S. B. No. 58, by Hollenback and Cotter: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 19 of the Session Acts of the Twentieth Legislative Assembly of Montana of 1927, as amended by Section 1 of Chapter 170 of the Session Acts of the Twenty-third Legislative Assembly of 1933, defining the terms used in the Act requiring the payment of license taxes by gasoline dealers." Referred to Committee on Oil and Leases.

S. B. No. 59, by Hollenback and Arnold: A Bill for an Act entitled: "An Act to amend Section 2201 R. C. M. 1921, as amended by Chapter 125 of the Session Acts of the Twenty-third Legislative Assembly of Montana of 1933, relating to the time of redemption of property from tax sales." Referred to Committee on Judiciary.

S. B. No. 60, by Parkin: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 44 of the Acts of the Extraordinary Legislative Assembly of Montana of 1933-34, relating to the levy of special taxes for the payment of school district warrants outstanding July 1, 1934, and requiring the inclusion in the budget allotment of district and county high

schools of delinquent warrants hereafter paid out of the county high school tax moneys." Referred to Committee on Education.

S. B. No. 61, by Anderson and Sibbert: A Bill for an Act entitled: "An Act requiring mortgages under chattel or real property mortgages to file in the office of the County Clerk and Recorder of the county or counties where the mortgages are filed or recorded in, a satisfaction or discharge of the same for filing or recordation, and providing for a penalty for failure so to do." Referred to Committee on Judiciary.

S. B. No. 62, by Meyer and Hammond: A Bill for an Act entitled: "An Act amending Section 8412 R. C. M. 1921, as amended by Chapter 143 of the Session Acts of the Eighteenth Legislative Assembly of Montana of 1923, relating to provisions affecting the negotiability of instruments." Referred to Committee on Judiciary.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Stimatz, duly seconded, that the House reconsider its action on Tom Carey.

On substitute motion, it was moved by Brennan, duly seconded and carried, that the House do not reconsider.

It was moved by Byrne, duly seconded and carried, that the House reconsider its action yesterday on the report of the Highways Committee regarding House Bill No. 115.

It was moved by Byrne, duly seconded and carried, that House Bill No. 115 be re-referred to the Committee on Highways.

It was moved by Monahan, duly seconded and carried, that House Bill No. 150 be taken from the Committee on Public Morals, Charities and Reforms and referred to the Committee on Judiciary.

It was moved by Stromnes, duly seconded and carried, that House Bill No. 28 on General Orders be passed for the day.

It was moved by Kelly, duly seconded and carried, that action on House Bill No. 88 be passed for the day.

It was moved by White of Judith Basin, duly seconded and carried, that action on House Bill No. 23 be passed for the day.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF THE SAME

The following were introduced, read first and second time and referred to committees:

S. B. No. 39, Introduced by Committee on Banks and Banking: A Bill for an Act entitled: "An Act to amend Section 21 of Chapter 89, Session Laws of the Twentieth Legislative Assembly, 1927, being an Act relating to the liability of stockholders of Montana State Banks." Referred to Committee on Banks and Banking.

H. B. No. 183, Introduced by Hinerman and Peterson of Valley, York and Petersen of Sheridan, Masterson, Kathan, Chamberlain, Miller of Roosevelt, Whaley, Ryan, Spiegel, Mulholland, Quigley, Anderson, Joffray, Neary, Ormsbee, Johnson, Chapman, Ballard, Nelson, O'Byrne: A Bill for an Act entitled: "An Act to provide for the Torrens Land Title System and fixing penalties for violations of this Act." Committee on Townships and Counties.

H. B. No. 184, Introduced by Lemmer: A Bill for an Act entitled: "An Act relative to the open and closed season on bear." Committee on Fish and Game.

H. B. No. 185, Introduced by Anderson and Quigley: A Bill for an Act entitled: "An Act to amend Section 3697 of the Revised Codes of Montana, 1921, as amended by Chapter 192 of the Laws of the Nineteenth Legislative Assembly of the State of Montana, 1925, Chapter 59 of the Laws of the Twentieth Legislative Assembly of the State of Montana, 1927, Chapter 152 of the Laws of Twenty-second Legislative Assembly of the State of Montana, 1931, and again amended by Chapter 123 of the Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933, relating to open season for deer, and providing penalties for the violation thereof." Committee on Fish and Game.

H. B. No. 186, Introduced by Nutting: A Bill for an Act entitled: "An Act validating bonds, warrants and other evidences of indebtedness heretofore issued by any irrigation district in the State of Montana." Committee on Irrigation and Water Rights.

H. B. No. 187, Introduced by Egan: A Bill for an Act entitled: "An Act to amend Section 44 and 45 of the Revised Codes of Montana, 1921, relative to the apportionment of the membership of the House of Representatives, the number to be elected from each county, and the number of votes that can be cast by each representative." Committee on Apportionment and Representation.

H. B. No. 188, Introduced by Stromnes: A Bill for an Act entitled: "An Act empowering County Commissioners to advertise for and receive sealed proposals for burial or cremation of the deceased indigents of the county and let contracts pursuant thereto to the lowest responsible bidder." Committee on Economy.

H. B. No 189, Introduced by Committee on Insurance: A Bill for an Act entitled: "An Act to amend Section 6339 of the Revised Codes of Montana of 1921, as amended by Chapter Fifty-five of the Session Laws of the Twenty-second Legislative Assembly of the State of Montana, relating to the payment of death and annuity benefits upon lives of children; providing for the organization and operation of a branch of the society for children, and providing for the amount of benefits payable thereunder. Committee on Insurance.

H. B. No. 190, Introduced by O'Byrne, Spiegel, Mitchell and O'Brien: A Bill for an Act entitled: "An Act to amend Section 2870, Revised Codes of Montana, 1921, relative to the definitions of injury; to provide for the payment of compensation for occupational diseases; to define occupational diseases; to allow claimants under this Act to present x-ray pictures, supplied by himself, at hearings; to amend Section 2899 Revised Codes of Montana, 1921, relative to the time claims must be presented; and to amend Section 2933 of the Revised Codes of Montana, 1921, as amended by Section 7, Chapter 177, of the Laws of 1929, relative to the Employee's Statement of Injury." Committee on Workmen's Compensation.

H. B. No. 191, Introduced by Lott: A Bill for an Act entitled: "An Act to amend Section 19 of Chapter 60 of the Laws of 1927, as amended by Chapter 151 of the Laws of 1933, and Sections 73 and 76 of Chapter 60 of the Laws of 1927, relative to exchange of state lands, the publication of notice of sale of state lands and regulating the sale thereof." Committee on State Lands.

H. B. No. 192, Introduced by Chamberlain: A Bill for an Act entitled: "An Act to amend Section 2038, Revised Codes of Montana, 1921, as amended by Chapter 43 of the Laws of the Nineteenth Legislative Assembly of the State of Montana, 1925, relating to traveling expenses of assessors and their deputies." Committee on Townships and Counties.

H. B. No. 193, Introduced by Joffray: A Bill for an Act entitled: "An Act making it unlawful for motor vehicles operating in this state to carry for the use of said vehicles auxiliary tanks containing gasoline or other motor fuel and providing a penalty for violation of this Act." Committee on Highways.

H. B. No. 194, Introduced by Watson by request: A Bill for an Act entitled: "An Act relative to the appointment of a pound master in counties wherein herd districts have been or shall be created; providing for impounding stock running at large in herd districts; providing for the collection of a fee by impounding such stock until the fee is paid, and the disposal of the revenues received therefrom; and providing for the compensation of the pound master." Committee on Agriculture.

H. B. No. 195, Introduced by Stevens: A Bill for an Act entitled: "An Act to provide for the protection, welfare and assistance of aged persons in need and resident in the State of Montana; providing a method therefore, providing for the appointment of an Old Age Commission, an Old Age Assistance Board, and a superintendent; providing an Old Age Pension Fund; providing for transfer of one-half of the Poor Fund of each county to such fund; providing penalties for the violation of the provisions of this Act, and repealing Chapter 72 of the Eighteenth Legislative Assembly of the State of Montana." Committee on State Boards and Officers.

H. B. No. 196, Introduced by Mulholland and O'Byrne: A Bill for an Act entitled: "An Act for the recovery of attorney fees as damages in actions for recovery, benefits or money due under or by virtue of the terms of any written contract of insurance; providing that the jury may fix said attorney fees and allow them as damages in cases where there is found to be fraud, lack of diligence or vexatious delay on the part of the insurer." Committee on Judiciary.

H. J. M. No. 7, Introduced by O'Byrne, O'Brien, Mitchell, Neary, Ryan, Connors, Goodwin and Spiegel: A memorial "memorializing Congress that they take appropriate action against the passage of Senate Bill No. 1130, a bill providing for unemployment and old age." Committee on Federal Relations.

THIRD READING OF HOUSE BILLS

House Bill No. 94, introduced by Metlen, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chapman, Conner, Connors, Ecton, Egan, Ewing, Fowler, Goodwin, Gordon, Gray, Groene (Fergus), Harlen, Holding, Hinerman, Joffray, Kathan, Kelly, Kruse, Leavitt, Lippard, Lott, Lovell, McCausland, Manning, Masterson, Metlen, Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sexton, Smith, Southmayd, Spiegel, Stevens, Strommes, Stimatz, Toomey, Watson, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 69.

Noes: Ahlgreen, Byrne, Chamberlain, Coutlas, Cusick, Doe, Emmett, Emmons, Foor, Green (Dawson), Haight, Hall, Hamilton, Haugan, Johnson, Kuhl, Lasby, Lemmer, McLaughlin, Miller (Roosevelt), Miller (Big Horn), Nelson, Rolph, Whaley. Total 24.

Absent and not voting: Harwood, Heavlin, Hedden, Leary, Liggett, Moss, Nutting, Sherman. Total 8.

The Speaker: 69 have voted "aye", 24 have voted "no", House Bill No. 94 has passed the House.

House Bill No. 43, introduced by the Judiciary Committee, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Gordon, Gray, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harlen, He ding, H.nerman, Joffray, Johnson, Kathan Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Smith, Southmayd, Spiegel, Stevens, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 86.

Noes: Goodwin, Haight, Haugan, Lippard, Stimatz, Stromnes. Total 6.

Absent and not voting: Harwood, Heavlin, Hedden, Leary, Liggett, Moss, Nelson, Nutting, Sherman. Total 9.

The Speaker: 86 have voted "aye", 6 have voted "no", House Bill No. 43 has passed the House.

It was moved by Byrne, duly seconded and carried, that the reading of the title of House Bill No. 85 on third reading be dispensed with.

House Bill No. 85, introduced by Committee on Public Health and Sanitary Affairs, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Ahlgreen, Ballard, Bertsche, Burris, Buttelman, Byrne, Chamberlain, Chapman, Connors, Doe, Ecton, Egan, Emmons, Foor, Fowler, Goodwin, Groene (Fergus), Haugan, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Lasby, Lemmer, Lippard, Lovell, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, O'Brien, O'Byrne, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Ritch, Rolph, Ryan, Smith, Southmayd, Spiegel, Stevens, Toomey, Watson, White, (Hill), Worden, York, Mr. Speaker. Total 61.

Noes: Acher, Anderson, Balgord, Boone, Brennan, Busch, Conner, Coultas, Cusick, Emmett, Ewing, Gordon, Gray, Green (Dawson), Haight, Hill, Hamilton, Harlen, Kruse, Kuhl, Leavitt, Lott, McCausland, McLaughlin, O'Connor, Quigley, Scofield, Sexton, Stimatz, Stromnes, Whaley, White (Judith Basin). Total 32.

Absent and not voting: Harwood, Heavlin, Hedden, Leary, Liggett, Moss, Nutting, Sherman. Total 8.

The Speaker: 61 have voted "aye", 32 have voted "no", House Bill No. 85 has passed the House.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Southmayd: A Bill for an Act entitled: "An Act appropriating money in satisfaction and settlement of the claim of Marie C. Belcher for injuries sustained by her upon Project No. 269B of the State Highway Commission of the State of Montana on the 21st day of May, 1934, and directing the State Auditor to draw his warrant upon the State Highway Fund therefor in settlement of said claim upon payment of said warrant."

By McLaughlin and Stevens: A Bill for an Act entitled: "An Act to amend Sections 12102 and 12103, Revised Codes of Montana, 1921, relating to punishment of death, how inflicted, providing for the use of lethal gas."

By Ritch, Busch, and Byrne: A Bill for an Act entitled: "An Act relative to the cancellation of gas and oil leases and providing a method therefor."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 158, entitled: "An Act to amend Section 9309 of the Revised Codes of Montana, 1921, relating to moneys paid to the Clerk of the District Court as Trust Funds, providing for the procedure to be followed in the receipt and disbursement of the same, and the disposition to be made of unclaimed balances," respectfully report as follows: That House Bill No. 158 be referred to the Judiciary Committee.

ACHER, Chairman.

On motion of Acher, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration Senate Bill No. 7, entitled: "An Act to authorize corporations, banks, trust companies, investment companies, and other financial institutions approved as mortgagees to obtain insurance under the provisions of Title II of an Act of Congress entitled: 'National Housing Act,' approved by the President on June 27, 1934, and any amendments thereto, now or hereafter made, to make such loans of real estate as are insured, or under a commitment made to insure, pursuant to Title II of said Act," respectfully report as follows: That Senate Bill No. 7 be concurred in.

ACHER, Chairman.

On motion of Acher, report adopted.

Mr. Speaker: We, your Committee on Insurance, having had under consideration Senate Bill No. 15, entitled: "An Act providing for the amount of insurance to be paid upon the destruction of property by fire, tornado, or lightning and fixing a method how the true value of the property insured shall be determined and defining what shall be considered as prima facie evidence of ownership of the property and what may be set up as defense thereto," respectfully report as follows: That Senate Bill No. 15 be amended as follows: "Section 1, line 22, after the word "insurance" there be inserted the word "premium." Be concurred in.

O'BYRNE, Chairman.

On motion of O'Byrne, report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 92, entitled: "An Act regulating the hours of labor of drivers and attendants of motor busses in the State of Montana; defining the term 'attendants' and fixing penalties for the violation of the provisions of this Act," respectfully report as follows: That House Bill No. 92 do pass.

MULHOLLAND, Chairman.

On motion of Spiegel, report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 119, entitled: "An Act to amend Section 8344, Revised Codes of Montana, 1921, realting to priority of mechanics' lien over mortgage," respectfully report as follows: That House Bill No. 119 do pass.

MULHOLLAND, Chairman.

On motion of Spiegel, report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 59, entitled: "An Act providing for a limitation of the hours of labor of all men employed in all industries; relating to the minimum wages of men so employed; establishing a Labor Board and defining the salary, powers, duties and for the dismissal of the same; declaring an emergency and providing penalties," respectfully report as follows: That House Bill No. 59 be amended as follows: Section 1, line 8, insert the word, "which" after the word, "or."

Section 2, line 3, strike out the word, "therefor" and insert the word "thereof"; line 4, substitute the word "one" for "five"; line 5, strike out the words, "one thousand" and insert "five hundred."

Section 3, line 1, change the word, "agricultural" to "agriculture"; line 2, substitute the word, "raising" for "ranches."

Section 4, line 4, strike out the words, "their successors are elected and qualified," and insert the words, "March 1st, 1937"; line 4 from the word, "at" to the word, "election" in line 18, strike out all five lines; line 15, strike out from the word, "they," to the word "cases" in line 23.

Section 5, line 5, strike out "a" and substitute the word, "shall" in place of "is" and insert the word, "be" after the word, "not."

Section 9, line 2, strike out all of this section after the word, "subpoenas."

Section 10, line 7, strike out all of this section after the word, "if." And, as amended, do pass.

MULHOLLAND, Chairman.

On motion of Mulholland, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following considered correctly engrossed: House Bills Nos. 101, 104, 112, 105, 103, 106, 100. House Joint Memorial No. 2.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Joint Memorial No. 1.

EWING, Chairman.

Without objection, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Groene of Fergus, duly seconded and carried, that House Bill No. 29, be taken from General Orders and re-referred to the Committee on Labor.

THIRD READING OF HOUSE BILLS

House Bill No. 96, introduced by Toomey, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Lemmer, Lippard, Lott, McCausland, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Mundy, Nelson, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Smith, Southmayd, Spiegel, Stev-

ens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin). Worden, York, Mr. Speaker. Total 84.

Noes: None.

Absent and not voting: Coultas, Foor, Harwood, Haugan, Heavlin, Hedden, Leary, Leavitt, Liggett, Lovell, McLaughlin, Manning, Moss, Neary, Nutting, Sherman, White (Hill). Total 17.

The Speaker: 84 have voted "aye", none have voted "no", House Bill No. 96 has passed the House.

House Bill No. 107, introduced by the Judiciary Committee, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Lemmer, Lippard, Lott, McLaughlin, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Monahan, Mulholland, Nelson, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), Worden, York, Mr. Speaker. Total 81.

Noes: None.

Absent and not voting: Foor, Harwood, Haugan, Heavlin, Hedden, Leary, Leavitt, Liggett, Lovell, McCausland, Manning, Masterson, Mitchell, Moss, Mundy, Neary, Nutting, Parker, Sherman, White (Hill). Total 20.

The Speaker: 81 have voted "aye", none have voted "no", House Bill No. 107, has passed the House.

House Bill No. 108, introduced by the Judiciary Committee, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Lemmer, Lippard, Lott, McCausland, McLaughlin, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Monahan, Mulholland, Mundy, Nelson, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), Worden, York, Mr. Speaker. Total 83.

Noes: None.

Absent and not voting: Foor, Harwood, Haugan, Heavlin, Hedden, Leary, Leavitt, Liggett, Lovell, Manning, Masterson, Mitchell, Moss, Neary, Nutting, Parker, Sherman, White (Hill). Total 18.

The Speaker: 83 have voted "aye", none have voted "no", House Bill No. 108 has passed the House.

House Bill No. 109, introduced by the Judiciary Committee, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall,

Hamilton, Harlen, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Lemmer, Lippard, Lott, McCausland, McLaughlin, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Monahan, Mulholland, Mundy, Nelson, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), Worden, York, Mr. Speaker. Total 79.

Noes: None.

Absent and not voting: Foor, Fowler, Harwood, Haugan, Heavlin, Hedden, Joffray, Leary, Leavitt, Liggett, Lovell, Manning, Masterson, Mitchell, Moss, Neary, Nutting, Parker, Sexton, Sherman, Stromnes, White (Hill). Total 22.

The Speaker: 79 have voted "aye", none have voted "no", House Bill No. 109 has passed the House.

House Bill No. 110, introduced by the Judiciary Committee, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Lemmer, Lippard, Lott, McCausland, McLaughlin, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Monahan, Mundy, Nelson, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), Worden, York, Mr. Speaker. Total 82.

Noes: None.

Absent and not voting: Foor, Harwood, Haugan, Heavlin, Hedden, Leary, Leavitt, Liggett, Lovell, Manning, Masterson, Mitchell, Moss, Mulholland, Neary, Nutting, Sexton, Sherman, White (Hill). Total 10.

The Speaker: 82 have voted "aye," none have voted "no," House Bill No. 110 has passed the House.

House Bill No. 111, introduced by the Judiciary Committee, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Anderson, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Goodwin, Green (Dawson), Haight, Hall, Holding, Joffray, Johnson, Kelly, Kruse, Lasby, Lemmer, Lott, McCausland, McLaughlin, Metlen, Minette, Mundy, O'Connor, Ormsbee, Padbury, Parker, Peterson (Gallatin), Quigley, Scofield, Smith, Stromnes, Toomey, Watson, White (Judith Basin), Worden, York. Total 47.

Noes: Ahlgreen, Balgord, Ballard, Chamberlain, Chapman, Connors, Ewing, Gordon, Gray, Groene (Fergus), Hamilton, Harlen, Hinerman, Kathan, Kuhl, Lippard, Miller (Roosevelt), Miller (Big Horn), Monahan, Mulholland, O'Brien, O'Byrne, Peterson (Sheridan), Ritch, Rolph, Ryan, Sexton, Southmayd, Spiegel, Stevens, Stimatz, Whaley, Mr. Speaker. Total 33.

The following passed their vote: Acher, Fowler. Total 2.

Absent and not voting: Foor, Harwood, Haugan, Heavlin, Hedden, Leary, Leavitt, Liggett, Lovell, Manning, Masterson, Mitchell, Moss, Neary, Nelson, Nutting, Peterson (Valley), Sherman, White (Hill). Total 19.

The Speaker: 47 have voted "aye", 33 have voted "no", House Bill No. 111 has passed the House.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Metlen of Beaverhead in the Chair. Committee arose.
House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 87, 54, 55, 99, 102, 72 recommend the following:

That House Bill No. 87 be passed for the day.

That House Bill No. 54 do pass.

That House Bill No. 55 do pass.

That House Bill No. 99 be passed for the day.

That House Bill No. 102 be amended as follows: By striking out in line 3 of Section 1 of the printed bill the words "State University of Montana" and inserting in lieu thereof the words "Montana State University." By striking out in line 5 of Section 1 of the printed bill the word "state", and the same do pass as amended.

That House Bill No. 72 be amended as follows: Amend Section 4, line 15 of the printed bill by inserting the words "not more than" before the figures "\$8.00"; and that the same do pass as amended.

METLEN, Chairman.

On motion of Metlen, report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 149, entitled: "An Act relative to instructions printed on election ballots," respectfully report as follows: That House Bill No. 149 do not pass.

HAIGHT, Chairman.

On motion of Haight, report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 46, entitled: "An Act to amend Section 5003, of the Revised Codes of Montana, 1921, relating to electors of cities and towns and terms of office," respectfully report as follows: That House Bill No. 46 be amended as follows: In Section 1, line 16, cut out the word "each" and substitute "every second" in lieu thereof. In Section 1, line 18, after the word "city" put in "and town." In Section 1, line 20, cut out "two years" and in lieu thereof put in "four years." In line 22, Section 1, in lieu of the words "two years" use the words "four years." In Section 1, line 24, in lieu of the words "two years" put in the words "four years."

All of part two of Section 1, beginning with the line 26 and ending with line 32, both inclusive shall be stricken from the bill.

And as amended that it be printed and placed on General Orders.

HAIGHT, Chairman.

On motion of Haight, report adopted.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following were introduced, read first and second time and referred to Committees:

Senate Bill No. 65, introduced by Committee of Agriculture: A Bill for an Act entitled: "An emergency Act relating to grain warehouse stor-

age receipts; authorizing the delivery of grain by warehousemen to the government of the United States under the Federal Seed Stock Act without Surrender of the warehouse receipt and repealing all Acts in conflict herewith." Referred to the Committee on Agriculture.

House Bill No. 197, introduced by Ritch, Busch and Byrne: A Bill for an Act entitled: "An Act relative to the cancellation of gas and oil leases and providing a method therefor." Referred to the Committee on Petroleum, Oil and Gas.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Monday morning at 10:30 o'clock A. M., February 4th, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

TWENTY-NINTH DAY

House of Representatives,
Helena, Montana, February 4th, 1935.

House convened, pursuant to adjournment, at 10:30 o'clock A. M.
Mr. Speaker in the Chair.
Invocation by Chaplain.

On roll call, all members present, except the following who were excused: Leary, Manning, Masterson, Moss, Mulholland, Sherman, Watson.

Mr. Speaker: We, your Committee on Journal, having examined the journal for the twenty-seventh day, find the same to be correct.

CLYDE J. QUIGLEY, Chairman.

Without objection, report adopted.

The Speaker appointed the following to act as the new committee on the Carey investigation: Cusick, Chairman; Hinerman, Ahlgreen, Foor and Burris.

COMMUNICATIONS AND PETITIONS

Certificate of Appointment

This is to certify that at a regular meeting of the Board of County Commissioners of Yellowstone County, Montana, held February 1, 1935, at the Court House, Billings, Montana, at which all the members of the board were present, Edgar U. Logan of Billings, Montana, was duly nominated and elected by said Board of County Commissioners to fill the vacancy caused by the death of Verne D. Caldwell, member from Yellowstone county, in the Lower House of the Montana Legislative Assembly.

This vacancy is filled in compliance with Section forty-five (45) of Chapter one hundred thirty-seven (137) Session Laws of the Twenty-third (23rd) Legislative Assembly of Montana.

Dated at Billings, Montana this first day of February, 1935, and signed by the Chairman of the Board of County Commissioners. Attest to by the Clerk and Recorder of Yellowstone County, Montana.

(SEAL)

Attest:

O. B. PRICKETT,
Chairman.

GEORGE G. OSTEN,
Clerk and Recorder.

I, E. U. Logan, do solemnly swear (or affirm) that I will support, protect and defend the constitution of the United States, and the constitution

of the State of Montana, and that I will discharge the duties of my office with fidelity; and that I have not paid, or contributed, or promised to pay or contribute, either directly or indirectly, any money or other valuable thing to procure my appointment except for necessary and proper expenses expressly authorized by law; that I have not knowingly violated any election law of this state, or procured it to be done by others in my behalf; that I will not knowingly receive, directly, or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office other than the compensation allowed by law, so help me God.

E. U. LOGAN.

Subscribed and sworn before me this 4th day of February, A. D., 1935.

(SEAL)

JOHN J. JEWELL,

Notary Public for the State of Montana.

Residing at Hobson, Montana.

My Commission expires July 26, 1936.

It was moved by Leavitt, duly seconded and carried, that the appointment of Honorable E. U. Logan be accepted and that the gentleman be seated as a member of this assembly.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Leavitt: A Bill for an Act entitled: "An Act providing for the establishment and operation of a central accounting department and central accounting system in and for the State of Montana for all departments, bureaus, institutions, boards and other agencies, and providing an appropriation to carry out the provisions of this Act."

By Leavitt: A Bill for an Act entitled: "An Act relating to the segregation of taxes and assessments in special improvement districts when a part or portion of a lot or taxable unit is sold or conveyed; providing for the division or adjustment of such assessment between the vendee or subsequent owner and original owner; providing for the redemption from a tax sale of any lot or lots heretofor or hereafter made and the segregation of said delinquent assessment for that purpose and repealing all Acts and parts of Acts in conflict herewith."

By Leavitt: A Bill for an Act entitled: "An Act to amend Section 3651 of the Revised Codes of Montana, 1921, relating to the members of the State Fish and Game Commission. Providing for the division of the state into commissioner districts, defining such districts, providing the method of nominating and election of said commissioners, their term of office, qualification and salary, providing for the filling of vacancies and repealing all Acts and parts of Acts in conflict herewith."

By Stimatz: A Bill for an Act entitled: "An Act to repeal Section 11521 Revised Codes of Montana, 1921, relative to the definition and punishment of vagrants."

By Spiegel and Ryan: A Bill for an Act entitled: "An Act to amend Section 2705 of the Revised Codes of Montana, 1921, providing for the appointment, term of employment, compensation, qualifications and duties of electrical inspectors and providing further for the payment of inspection fees."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following correctly enrolled: House Bill No. 47.

MONAHAN, Chairman.

Without objection, report adopted.

I have read House Bill No. 47 as reported from the Enrolling Committee and certify same to be correct.

LIPPARD.

The Speaker announced he was about to sign House Bill No. 47, whereupon the clerk read the title of the same and the Speaker did sign in the presence of the House.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following correctly enrolled: House Bill No. 16.

MONAHAN, Chairman.

Without objection, report adopted.

I have read House Bill No. 16 as reported from the Enrolling Committee and certify same to be correct.

HAIGHT.

The Speaker announced he was about to sign House Bill No. 16, whereupon the clerk read the title of the same and the Speaker did sign in the presence of the House.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 151, entitled: "An Act to amend Section 10145, Revised Codes of Montana, 1921, providing that all property exempt from execution, including the homestead to be set apart for use of family," respectfully report as follows: That House Bill No. 151 be referred to the Judiciary Committee.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 52, entitled: "An Act to regulate the operating of certain games of chance; to provide when the operation thereof shall be illegal; and to repeal all Acts and parts of Acts in conflict therewith," respectfully report as follows: That House Bill No. 52 do not pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 89, entitled: "An Act to provide a bounty on gophers and provide the method of payment of the same," respectfully report as follows: That House Bill No. 89 do not pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 65, entitled: "An Act to amend Section 1219 of the Revised Codes of Montana of 1921 as amended by Chapter 120, Acts of the Nineteenth Legislative Assembly and to amend Sections 1221 and 1222 Revised Codes of Montana of 1921, all relating to the voting of additional school levies for district school purposes," respectfully report as follows: That House Bill No. 65 be amended as follows: By inserting after the first "and" in line 29, page 1, the words: "The approximate number of mills required to raise such amount and." That the said House Bill No. 65 be further amended by striking out lines 31 and 32 of page 2 and lines 1, 2, and 3 of page 3 of the original bill, and as amended do pass.

PETERSON OF VALLEY, Chairman.

On motion of Peterson of Valley, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 145, entitled: "An Act to repeal Chapter 12, of the Session Laws of the Twenty-third Legislative Session, 1933, defining nepotism and preventing such practice in the State of Montana and prescribing a penalty therefor," respectfully report as follows: That House Bill No. 145 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 182, entitled: "An Act to amend Section 12079, Revised Codes of Montana, 1921, relating to persons not entitled to probation of sentence, and repealing all Acts and parts of Acts in conflict therewith," respectfully report as follows: That House Bill No. 182 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Printing, beg leave to report the following correctly printed. House Bills Nos. 136, 83.

McCAUSLAND, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bill No. 60, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day, at the hour of 11:55 o'clock, A. M. delivered to the Governor for his approval.

MONAHAN, Chairman.

Without objection, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Boone, duly seconded and carried, that House Bill No. 138 be recalled from the Committee on Printing and re-referred to the Committee on Judiciary for correction.

It was moved by Joffray, duly seconded and carried, that House Bill No. 37 be taken from General Orders and re-referred to the Committee on Labor.

It was moved by Kelly, duly seconded and carried, that consideration of House Bill No. 88 be passed for the day.

It was moved by Byrne, duly seconded and carried, that action on the report of the Committee on Privileges and Elections on House Bill No. 149 be reconsidered.

It was moved by Stromnes, duly seconded and carried, that House Bill No. 149 be printed and placed on General Orders.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following were introduced, read first and second time and referred to committees; all appropriation measures having been read at length.

House Bill No. 198, introduced by Haight: A Bill for an Act entitled: "An Act to amend Section 14 of Chapter 46 of the Session Laws of the Twenty-third Legislative Assembly, 1933, relating to the regulation and location of beer licensee." Referred to Committee on Public Morals, Charities and Reforms.

House Bill No. 199, introduced by Toomey: A Bill for an Act entitled: "An Act to amend Section 4740 of the Revised Codes of Montana of 1921 prohibiting certain officers from practicing law or acting as collection agents." Referred to Committee on Judiciary.

House Bill No. 200, introduced by Leavitt: A Bill for an Act entitled: "An Act providing for the levy and imposition of a gross income tax upon the privilege of engaging in occupation in the State of Montana. Defining terms used in said Act; providing for exemptions and fixing the basis and rate of tax; prescribing the duties and powers of the State Board of Equalization in the administration of said Act. Providing procedure and machinery for administration thereof; fixing the jurisdiction of the courts in connection with review and appeal under this Act; providing for regulatory measures for the enforcement of said Act; providing for the distribution of said tax; providing penalties for the violation hereof and making appropriations and creating reserve funds to carry out its purposes and administration and repealing Chapter 181 of the Laws of the Twenty-third Legislative Assembly, 1933, Chapter 40 of the Extraordinary Session of the Twenty-third Legislative Assembly and all other Acts and parts of Acts in conflict herewith." Referred to Committee on Appropriations.

House Bill No. 201, introduced by Stromnes: A Bill for an Act entitled: "An Act creating municipal courts in cities, defining the jurisdiction thereof; providing rules of practice therein; providing for the election and qualifications of judges thereof, and the salary and use of office of judges. Abolishing certain police courts; repealing Section 4929, Revised Codes of Montana 1921; amending Section 9716 Revised Codes of Montana 1921, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Affairs of Cities.

House Bill No. 202, introduced by Toomey: A Bill for an Act entitled: "An Act to amend Section 6236 of the Revised Codes of Montana of 1921 as amended by Chapter 145, Laws of the Eighteenth Legislative Assembly of the State of Montana, 1923, relating to official bonds required of public officers." Referred to Committee on State Boards and Officers.

House Bill No. 203, introduced by Joffray: A Bill for an Act entitled: "An Act to amend Sections 16 and 17 of Chapter 184 of the Laws of 1931 relating to the use of the public highways of the State of Montana by motor carriers." Referred to Committee on Highways.

House Bill No. 204, introduced by Stevens and McLaughlin: A Bill for an Act entitled: "An Act to amend Sections 12102 and 12103 Revised Codes of Montana, 1921, relating to punishment of death, how inflicted, providing for the use of lethal gas." Referred to Committee on Public Morals, Charities and Reforms.

THIRD READING OF HOUSE BILLS

House Bill No. 90, introduced by Kruse, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Liggett, Lippard, Logan, Lott, McCausland, McLaughlin, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Whaley, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 84.

Noes: Worden. Total 1.

Absent and not voting: Bertsche, Coultas, Doe, Haugan, Joffray, Leary, Lemmer, Lovell, Manning, Masterson, Metlen, Muiholland, Ritch, Sexton, Sherman, Stromnes, Watson. Total 17.

The Speaker: 84 have voted "aye", 1 has voted "no", House Bill No. 90 has passed the House.

House Bill No. 100 introduced by the Judiciary Committee, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Burris, Chamberlain, Chapman, Connors, Cusick, Doe, Egan, Emmons, Foor, Goodwin, Gray, Green (Dawson), Groene (Fergus), Hall, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Lasby, Leavitt, Lemmer, Lott, Lovell, McLaughlin, Miller (Roosevelt), Mitchell, Neary, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Valley), Ritch, Ryan, Scofield, Sexton, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Whaley, Mr. Speaker. Total 55.

Noes: Boone, Busch, Buttelman, Byrne, Ecton, Emmett, Ewing, Gordon, Haight, Hamilton, Harlen, Harwood, Heavlin, Hedden, Holding, Kuhl, Liggett, Lippard, McCausland, Miller (Big Horn), Minette, Mundy, Nelson, Nutting, O'Brien, Peterson (Gallatin), Quigley, Stromnes, White (Judith Basin), White (Hill), Worden. Total 31.

Absent and not voting: Conner, Coultas, Fowler, Haugan, Leary, Manning, Masterson, Metlen, Monahan, Moss, Mulholland, Sherman, Watson, York. Total 14.

The following have passed their vote: Logan, Rolph. Total 2.

The Speaker: Fifty-five have voted "aye", thirty-one have voted "no"; House Bill No. 100 has passed the House.

House Bill No. 101, introduced by the Judiciary Committee, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Doe, Ecton, Egan, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harlen, Harwood, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Liggett, Lippard, Logan, McCausland, McLaughlin, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mundy, Neary, Nutting, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Smith, Southmayd, Spiegel, Stevens, Stromnes, Toomey, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 81.

Noes: Stimatz.

Absent and not voting: Bertsche, Coultas, Emmett, Fowler, Groene (Fergus), Haugan, Leary, Lemmer, Lott, Lovell, Manning, Masterson, Metlen, Minette, Moss, Muiholland, Nelson, O'Brien, Sherman, Watson. Total 20.

The Speaker: Eighty-one have voted "aye", one has voted "no"; House Bill No. 101 has passed the House.

House Bill No. 112, introduced by the Judiciary Committee, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harlen, Harwood, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan,

Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, McCausland, Miller (Roosevelt), Miller (Big Horn), Mitchell, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Smith, Southmayd, Spiegel, Stevens, St. matz, Stromnes, Toomey, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 86.

Noe: None.

Absent and not voting: Coultas, Fowler, Groene (Fergus), Haugan, Leary, Lovell, McLaughlin, Manning, Masterson, Metlen, Minette, Monahan, Moss, Mulholland, Sherman, Watson. Total 16.

The Speaker: Eighty-six have voted "aye", none have voted "no"; House Bill No. 112, has passed the House.

House Bill No. 103, introduced by the Judiciary Committee, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Chamberlain, Chapman, Conner, Connors, Cusick, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gray, Green (Dawson), Haight, Hall, Hamilton, Harwood, Heavlin, Hedden, Holding, Hinerman, Joffray, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Logan, Lott, McLaughlin, Miller (Roosevelt), Miller (Big Horn), Mitchell, Neary, Nelson, Nutting, O'Byrne, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Valley), Ritch, Rolph, Ryan, Scofield, Sexton, Smith, Southmayd, Spiegel, Stevens, Stromnes, Toomey, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 71.

Noes: Buttelman, Byrne, Doe, Ecton, Gordon, Harlen, Lippard, McCausland, Mundy, Peterson (Gallatin), Quigley, Stimatz. Total 12.

Absent and not voting: Coultas, Fowler, Groene (Fergus), Haugan, Johnson, Leary, Lovell, Manning, Masterson, Metlen, Minette, Monahan, Moss, Mulholland, O'Brien, Padbury, Sherman, Watson. Total 18.

The following passed their vote: White (Judith Basin).

The Speaker: Seventy-one have voted "aye", twelve have voted "no"; House Bill No. 103, has passed the House.

House Bill No. 104, introduced by the Judiciary Committee, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hamilton, Harwood, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, McCausland, McLaughlin, Miller (Roosevelt), Miller (Big Horn), Mundy, Nelson, Nutting, O'Byrne, O'Connor, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Sexton, Smith, Stromnes, White (Judith Basin), Worden, York. Total 68.

Noes: Connors, Goodwin, Hall, Harlen, Mitchell, Neary, Ritch, Rolph, Ryan, Scofield, Southmayd, Spiegel, Stevens, Stimatz, Whaley, Mr. Speaker. Total 16.

Absent and not voting: Coultas, Fowler, Haugan, Leary, Lovell, Manning, Masterson, Metlen, Minette, Monahan, Moss, Mulholland, O'Brien, Parker, Sherman, Toomey, Watson, White (Hill). Total 18.

The Speaker: Sixty-eight have voted "aye", sixteen have voted "no"; House Bill No. 104 has passed the House.

House Bill No. 105, introduced by the Judiciary Committee, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Lott, McCausland, McLaughlin, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Smith, Southmayd, Spiegel, Stimatz, Stromnes, Toomey, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 85.

Noes: Acher, Conner. Total 2.

Absent and not voting: Byrne, Emmett, Fowler, Haugan, Leary, Lovell, Manning, Masterson, Metlen, Moss, Mulholland, Sherman, Stevens, Watson. Total 14.

The following passed their vote: Logan.

The Speaker: Eighty-five have voted "aye", two have voted "no"; House Bill No. 105 has passed the House.

House Bill No. 106, introduced by the Judiciary Committee, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Lott, McCausland, McLaughlin, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 89.

Noes: None.

Absent and not voting: Haugan, Leary, Lovell, Manning, Masterson, Metlen, Monahan, Moss, Mulholland, Sherman, Watson, Whaley. Total 12.

The following passed their vote: Logan.

The Speaker: Eighty-nine have voted "aye", none have voted "no"; House Bill No. 106 has passed the House.

House Joint Memorial No. 1, introduced by Egan and Ritch having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Busch, Buttelman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harlen, Harwood, Heavlin, Holding, Johnson, Kathan, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Lott, McLaughlin, Miller (Roosevelt), Miller (Big Horn), Mitchell, Mundy, Neary, Nelson, O'Brien, O'Connor, Padbury, Petersen (Sheridan), Peterson (Gallatin), Quigley, Ritch, Scofield, Sexton, Smith, Southmayd, Stevens, White (Hill), York, Mr. Speaker. Total 64.

Absent and not voting: Burris, Gray, Hinerman, Joffray, Kelly, Kruse, Haugan, Leary, Lovell, Manning, Masterson, Metlen, Minette, Monahan, Moss, Mulholland, Peterson (Valley), Sherman, White (Judith Basin) Total 18.

Noes: Byrne, Chamberlain, Chapman, Haight, Hedden, McCausland, Nutting, O'Byrne, Ormsbee, Parker, Rolph, Ryan, Spiegel, Stimatz, Stromnes, Toomey, Watson, Whaley, Worden. Total 19.

The following passed their vote: Logan.

The Speaker: Sixty-four have voted "aye", nineteen have voted "no", House Joint Memorial No. 1 has passed the House.

House Joint Memorial No. 2, introduced by McLaughlin, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Burris, Busch, Buttelman, Chapman, Conner, Connors, Coultas, Cusick, Doe, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Harwood, Heavlin, Holding, Hinerman, Joffray, Johnson, Kathan, Kruse, Kuhl, Leavitt, Lemmer, Liggett, Lippard, Lott, McLaughlin, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Moss, Mundy, Neary, O'Brien, O'Byrne, O'Connor, Padbury, Petersen (Sheridan), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sexton, Smith, Southmayd, Spiegel, Stevens, Stromnes, Toomey, White (Hill), York, Mr. Speaker. Total 71.

Noes: Boone, Byrne, Chamberlain, Ecton, Hamilton, Harlen, Hedden, Lasby, McCausland, Nutting, Ormsbee, Parker, Peterson (Gallatin), Rolph, Stimatz, Watson, Whaley, Worden. Total 18.

Absent and not voting: Haugan, Kelly, Leary, Lovell, Manning, Masterson, Metlen, Monahan, Mulholland, Nelson, Sherman, White (Judith Basin). Total 12.

The following passed their vote: Logan.

The Speaker: Seventy-one have voted "aye", eighteen have voted "no"; House Joint Memorial No. 2 has passed the House.

Senate Joint Resolution No. 2, introduced by Oliver, having been read three several times, history and title agreed to, was concurred in by the following vote:

Ayes: Acher, Anderson, Bertsche, Burris, Busch, Buttelman, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Fowler, Goodwin, Green (Dawson), Groene (Fergus), Haight, Hall, Harlen, Harwood, Heavlin, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Leavitt, Lemmer, Liggett, Logan, McLaughlin, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Neary, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Scofield, Sexton, Smith, Southmayd, Stevens, Stimatz, Watson, Whaley, Ritch, White (Hill), Worden, York, Mr. Speaker. Total 67.

Noes: Ahlgreen, Balgord, Ballard, Boone, Brennan, Byrne, Chamberlain, Ewing, Foor, Gordon, Gray, Hamilton, Hedden, Holding, Lasby, Lippard, McCausland, Nelson, Nutting, Rolph, Ryan, Spiegel, Stromnes, Toomey, White (Judith Basin). Total 25.

Absent and not voting: Haugan, Leary, Lovell, Manning, Masterson, Metlen, Mulholland, Mundy, Sherman. Total 9.

The following passed their vote: Lott.

The Speaker: Sixty-seven have voted "aye", twenty-five have voted "no"; Senate Joint Resolution No. 2 has been concurred in by the House.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Toomey, Smith, Padbury: A Bill for an Act entitled: "An Act providing for the printing and binding of Supreme Court Decisions, Session Laws and Codes."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 138, entitled: "An Act defining the duration of liens of mortgages upon real estate, and the manner of the extension thereof, and amending Section 8267, of the Revised Codes of Montana of 1921, as amended by Chapter 104 of the Session Laws of the Twenty-third Legislative Assembly of the State of Montana of 1933," respectfully report as follows: That House Bill No. 138 be amended as follows: By striking out the period and quotation marks at the end of Section One, in line 5, page two thereof, and inserting after the word "years" the following: "and no longer," and as amended do pass, and former amendment be cancelled.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Fairs and Expositions, having had under consideration House Bill No. 177, entitled: "An Act to amend Section 11149 of the Revised Codes of Montana, 1921, relative to the definition of lotteries," respectfully report as follows: That House Bill No. 177 do pass.

BERTSCHE, Chairman.

On motion of Stromnes, report adopted.

Mr. Speaker: We, your Committee on Fairs and Expositions, having had under consideration House Bill No. 180, entitled: "An Act to amend Section 1 of Chapter 30 of the Laws of the Twentieth Legislative Assembly of the State of Montana, providing for the appointment, qualification, and term of office of county fair commissioners, and defining their powers and duties," respectfully report as follows: That House Bill No. 180 do pass.

BERTSCHE, Chairman.

On motion of Stromnes, report adopted.

Mr. Speaker: We, your Committee on Fairs and Expositions, having had under consideration House Bill No. 179, entitled: "An Act to amend Section 2430 of the Revised Codes of Montana, 1921, providing for licenses for premiums or bonuses for sale of merchandise," respectfully report as follows: That House Bill No. 179 do pass.

BERTSCHE, Chairman.

On motion of Stromnes, report adopted.

Mr. Speaker: We, your Committee on Fairs and Expositions, having had under consideration House Bill No. 178, entitled: "An Act to amend Section 2434, Revised Codes of Montana, 1921, relative to licenses; said amendment being for the purpose of exempting agricultural fairs and veterans organizations from the payment of the licenses defined," respectfully report as follows: That House Bill No. 178 do pass.

BERTSCHE, Chairman.

On motion of Stromnes, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 79, entitled: "An Act to regulate and control the operation of games of chance, to provide for the licensing thereof by the State Board of Equalization and granting to said board certain powers therein; providing for the distribution to the state and counties of the proceeds thereof; establishing a special revenue and Old Age Pension Fund; making certain acts illegal and providing penalties; prohibiting minors from participating in any of said games and providing penalties therefor; permitting cities and towns to levy a license tax therefor in addition to the state tax herein provided; providing that by a special election any county may prohibit the games of chance in said county; repealing all Acts or parts of Acts in conflict therewith," respectfully report as follows: That House Bill No. 79 be amended as follows: All following amendments refer to the original bill;

Section 4 thereof by inserting after the word "lotteries" in the first line thereof, the following, "slot machines played for money or tokens redeemable in money."

Section 10 thereof, line 4 thereof, after the word "license" by adding the words "must be a citizen of the United States."

Section 10 thereof, line 5 thereof, by striking out the words and figures "one (1) year" and inserting in lieu thereof the words and figures "two (2) years."

Section 10 thereof, line 5 thereof, by adding after the word "year" the following: "and of the city or town for one year."

That a new Section 19 be inserted in the bill to read as follows: "Section 19. It shall be unlawful, and it is hereby prohibited, that any gambling licensee, under the provisions of this Act, shall advertise the gambling business in which he is engaged or solicit patronage for such business from the public, either by word of mouth, by printed or pictured signs, by publication, or in any manner."

That a new Section 20 be inserted in the bill to read as follows and that all following sections be renumbered accordingly:

"Section 20. No gambling business shall be conducted in conjunction with any other commercial enterprise nor shall the quarters where said gambling business is conducted be connected in any manner with the quarters where any other commercial enterprise is conducted."

That a new Section 26 be inserted in the bill to read as follows and that all following sections be renumbered accordingly:

"Section 26. This Act shall be an emergency measure expiring July 1, 1937."

And as amended be printed and placed on General Orders, without recommendation of the committee.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Printing, beg leave to report the following correctly printed: House Bills Nos. 77, 80.

McCAUSLAND, Chairman.

Without objection, report adopted.

It was moved by Fowler, duly seconded and carried, that House Bill No. 200, dealing with the gross sales tax, be taken from the Committee on Appropriations and referred to the Committee on Revenue and Taxation with instructions that when the Committee on Revenue and Taxation has acted on the bill, it be re-referred to the Committee on Appropriations.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR
AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Joint Resolution No. 3, by Fowler, was recommended for non-concurrence by the Senate Committee on Relief and Social Welfare, report adopted, and resolution is herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Moss, duly seconded and carried, that messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Engrossed Bills: That S. B. Nos. 11, 25 and 37 have been correctly engrossed, report adopted.

Committee on Judiciary: That H. B. No. 61 be concurred in, report adopted.

Committee on Judiciary: That H. B. No. 62 be concurred in, report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Relief and Social Welfare: That H. J. R. No. 3 do not pass, report adopted.

Committee on Roads and Highways: That S. B. No. 46 be amended in Section 1 by striking out in line 18 after the word "accident" and before the word "unpassable," the word "on," and inserting in lieu thereof the word, "or."

Further amend in Section 1, line 18, after the word "roads," and before the word "snow," by inserting the following words: "or abnormal road conditions," and as so amended, recommend said S. B. No. 46 do pass, report adopted.

Committee on State Boards and Offices: That Senate Bill No. 51 do not pass, report adopted.

Committee on Agriculture: That S. B. No. 65 be amended in the title by striking out in line 9 the comma after the word "receipt" and inserting a period in lieu thereof, and by striking out the balance of the title thereafter:

Be further amended in Section 3 by striking out all of said Section 3 and substituting in lieu thereof the following:

"Section 3. This Act shall apply only to grain held in storage by the government of the United States under the provisions of the Federal Feed Stock Act"; and as so amended, recommend said S. B. No. 65 do pass, report adopted.

Committee on Judiciary: That H. B. No. 3 be not concurred in, but that Senate Substitute for House Bill No. 3, entitled: "A Bill for an Act entitled: 'An Act amending Sections 8, 9, 12, 29, 31, 32, 33, 34, 52, 54, 57, 59, 63, 64, 67 and 68; and to repeal Sections 18 to 27, inclusive, and Sections 60 and 61 of Chapter 105 of the Session Laws of the Twenty-third Legislative Assembly of Montana of 1933, commonly known as the State Liquor Control Act of Montana, and all other Acts and parts of Acts in conflict herewith'"; be concurred in, report adopted.

Committee on Horticulture: That H. B. No. 53 be concurred in, report adopted.

Committee on Taxation: That Sub. S. B. No. 8 do pass, report adopted.

Majority of Committee on Insurance: That S. B. No. 22 do not pass, but that Substitute for S. B. No. 22, entitled: A Bill for an Act entitled: "An Act to provide for state insurance of public buildings and contents: to provide for the valuation thereof; to provide for the duties of public officers in connection therewith; to provide for the levying of assessment premiums, for the investment and distribution of the insurance premiums, for the investment and distribution of the insurance fund, and for the payment of losses; to prevent any other manner of insuring public property; and to provide penalties for the violation of this Act"; do pass, report adopted. Bill referred to Insurance Committee.

Committee on Rules: Recommend that Senate Rule 10, Section 9, be amended to read as follows:

"Printing of Bills, Resolutions or Memorials: Five hundred copies of every bill, memorial or joint resolution, requiring three readings, shall be printed after the second reading and favorable report made thereon from a committee. A vote of a majority of the members voting shall be sufficient to order the printing of any bill, memorial or resolution, and such motion, when carried, shall bar any motion or report to postpone indefinitely or any action to annul said measure until the same has been printed."

Report adopted.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day gave notice that he was about to sign and did sign in open session, House Bill No. 60.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 94, by Metlen, was this day introduced in the Senate, read first and second time, and referred to the Committee on Public Buildings.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time and referred to committees:

S. B. No. 66, by Hammond and Meyer. A Bill for an Act entitled: "An Act amending Section 8437 R. C. M. 1921, relating to negotiable instruments, and requiring an affidavit as to the amount due on such instruments at the time of negotiation." Referred to Committee on Judiciary.

S. B. No. 67, by Blankenbaker: A Bill for an Act entitled: "An Act to amend Section 5308 R. C. M. 1921, as amended by Chapter 54 of the Session Acts of the Twenty-first Legislative Assembly of Montana of 1929, relating to the vacation of plats in abandoned townsites, and repealing all Acts in conflict herewith." Referred to Committee on Counties and Towns.

S. B. No. 68, by Committee on Public Lands: A Bill for an Act entitled: "An Act relating to the purchase by the United States of lands within the State of Montana for National forest purpose." Referred to Committee on Public Lands.

S. B. No. 69, by Hollenback, Holt and Oliver: A Bill for an Act entitled: "An Act relating to the classification of lands for purposes of taxation; providing for the classification and assessment of land leased or used for grazing purposes; specifying the powers and duties of the County Board of Equalization in relation to the administration of this Act, and repealing all Acts in conflict herewith." Referred to Committee on Stock-growing and Grazing.

S. B. No. 70, by Simmons: A Bill for an Act entitled: "An Act fixing the amount of the fee to be paid to the Montana State Fish and Game Warden by a bona fide owner of real estate for a permit to take or destroy beaver on the real estate of said owner only and when such beaver are actually and materially damaging such real estate, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Fish and Game.

S. B. No. 71, by Lamp: A Bill for an Act entitled: "An Act relating to the care of the county poor and requiring the property of sick, poor or indigent persons receiving county aid to be applied to the support of such persons, and defining the duties of the county commissioners in relation thereto." Referred to Committee on Counties and Towns.

S. B. No. 72, by Keeley: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 46 of the Laws of the Extraordinary Session of the Twenty-third Legislative Assembly, relating to the definition of the term 'beer' and to repeal Section 4 of Chapter 106 of the Session Laws of 1933." Referred to Committee on Judiciary.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Sullivan and Keeley: A Bill for an Act entitled: "An Act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto."

By Keeley: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 46 of the laws of the Extraordinary Session of the Twenty-third Legislative Assembly, relating to the definition of the term 'beer' and to repeal Section 4 of Chapter 106 of the Session Laws of 1933."

By Plumer: A Bill for an Act entitled: "An Act to prevent the monopoly of transportation service on the highways of Montana by competing forms of transportation; prohibiting railroad companies from using the public highways for the intrastate transportation of property by motor vehicle; defining the terms used in this Act; providing penalties for the violation of this Act, and repealing all Acts and parts of Acts in conflict herewith."

By Cooper: A Bill for an Act entitled: "An Act to amend Section 4880 Revised Codes of Montana, 1921, relative to the maximum number of deputy treasurers, auditors and county attorneys."

By Oliver: A Bill for an Act entitled: "An Act to amend Section 138 of Chapter 89, of the Laws of the Twentieth Legislative Assembly, 1927, relating to disposition of assets, remaining after payments of claims, of banks in liquidation by the Superintendent of Banks and final closing of trust."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committees of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. B. No. 65 do pass.

That S. B. No. 2 be amended in the title by placing a semi-colon after the word "Act" in line 10, printed bill, and inserting immediately following said semi-colon the following: "Authorizing verdict in civil action for actual as well as exemplary damages for violation of this Act." and by striking out in lines 7 and 8 the words: "Authorizing verdict in civil action for actual as well as exemplary damages for violation of the Act."

That S. B. No. 2 be amended by inserting between Sections 4 and 5 the following:

"Section 4-A. If any person shall present to the County Attorney of any county in the State of Montana, in which county such discriminatory acts of any person, firm, company, association, or corporation shall have been committed, a sworn written statement of the price paid, the date and the parties selling and buying, and reasonably reliable information of the price demanded or collected by such person, firm, company, association or corporation, for a corresponding or similar article of standard petroleum product sold or offered for sale in another part of the State of Montana or in the nearest adjoining state by such person, firm, company, association or corporation, then it shall be the duty of such County Attorney to promptly investigate and either commence and prosecute an action or furnish the informant with a written statement of his reasons for not commencing and prosecuting an action under this Act."

That S. B. No. 2 be amended in the title by inserting before the word, "providing" in line 9, printed bill, the following: "duty of County Attorney;" and as so amended, recommend said S. B. No. 2 do pass, report adopted.

That consideration of S. B. No. 48 be passed for the day.

That consideration of S. B. No. 36 be passed for the day.

That S. B. No. 52 be amended in Section 1 by inserting in line 11 after the words, "personal bond," the following words: "signed by two freeholders who are worth the amount of the bond in excess of any and all exemptions;" and as so amended, recommend said S. B. No. 52 do pass.

That consideration of S. B. No. 49 be passed for the day.

That S. B. No. 50 do pass.

That Senate Substitute for Senate Bill No. 16 do pass.

That H. B. No. 73 be concurred in.

Report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following was introduced, read first and second time and referred to the Committee on Constitutional Amendments.

House Bill No. 205, introduced by Fowler: A Bill for an Act entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to the Constitution of the State of Montana by adding a new article thereto relating to the recall of all elective public officers; providing the procedure for such recall and for the election of the successors to such offices."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 86, entitled: "An Act to amend Section 3144 and to amend Section 3149 as amended by Chapter 129 of Session Laws of 1933, and Section 3153 of the Revised Codes of Montana of 1921, relative to the definition of chiropractic, renewal and the penalty for violation of Act," respectfully report as follows: That House Bill No. 86 do pass.

YORK, Chairman.

On motion of York, report adopted.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

Kruse of Garfield in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 87, 23, 99, 64, 34, 91, 28, 127, Substitute House Bill No. 36, recommend the following:

That House Bill No. 87 be amended as follows: By striking out all of Section 28 and that same do pass as amended.

That House Bill No. 99 be amended as follows: Amend the title by striking out in line 3 the word "chapter" and inserting in lieu thereof the word "Section" and that the same do pass as amended.

That House Bill No. 64 do pass.

That House Bill No. 34 do pass.

That House Bill No. 91 do pass.

That the enacting clause be stricken in House Bill No. 28.

That House Bill No. 127 do pass.

That Substitute House Bill No. 36 be amended as follows: Amend Section 1, lines 9 and 10 of the printed bill by striking out the words "one year" and inserting in lieu thereof the words "six months"; and that the same do pass as amended.

That the enacting clause be stricken in House Bill No. 23.

KRUSE, Chairman.

It was moved by Kruse, duly seconded that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by Burris, duly seconded that House Bill No. 28 be segregated from the report of the Committee of the Whole. A roll call was demanded by the required number and the motion was carried by the following vote:

Ayes: Ahlgreen, Ballard, Brennan, Burris, Chamberlain, Chapman, Connors, Cusick, Egan, Emmett, Emmons, Fowler, Gray, Hamilton, Holding, Hinerman, Joffray, Johnson, Kathan, Leavitt, Lemmer, Liggett, Lipard, Logan, Lott, Miller (Roosevelt), Mitchell, Monahan, Neary, O'Brien, O'Byrne, Ormsbee, Petersen (Sheridan), Peterson (Valley), Ritch, Rolph, Ryan, Sexton, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, White (Hill), York, Mr. Speaker. Total 47.

Noes: Acher, Anderson, Balgord, Boone, Busch, Buttelman, Byrne, Conner, Coultas, Doe, Ecton, Ewing, Gordon, Green (Dawson), Groene (Fergus), Haight, Hall, Harlen, Harwood, Heavlin, Hedden, Kelly, Kruse, Kuhl, Lasby, McCausland, McLaughlin, Metlen, Miller (Big Horn), Minette, Moss, Mundy, Nelson, Nutting, O'Connor, Padbury, Parker, Peterson (Galatin), Quigley, Scofield, Smith, Toomey, Watson, White (Judith Basin), Worden. Total 45.

Absent and not voting: Bertsche, Foor, Goodwin, Haugan, Leary, Lovell, Manning, Masterson, Mulholland, Sherman. Total 10.

The Speaker: Forty-seven have voted "aye", forty-five have voted "no"; the motion is carried.

It was moved by Brennan, duly seconded and carried, that House Bill No. 36 be segregated from the report of the Committee of the Whole.

Whereupon motion by Kruse to adopt the report of the Committee of the Whole was carried, and same was adopted as amended.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Tuesday, 10:30 A. M., February 5, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

THIRTIETH DAY

House of Representatives,
Helena, Montana, February 5, 1935.

House convened, pursuant to adjournment, at 10:30 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by Chaplain.

On roll call, all members present except the following who were excused: Bertsche, Foor, Lovell, Manning, Masterson.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the twenty-ninth legislative day, find the same to be correct.

CLYDE J. QUIGLEY, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing, beg leave to report the following correctly printed: House Bills Nos. 92, 138, 59, 119.

McCAUSLAND, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bills Nos. 54, 72, 102, 55.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 16, 47, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11:35 o'clock A. M., delivered to the Governor for his approval.

MONAHAN, Chairman.

Without objection, report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Spiegel, O'Byrne, Ryan and Mulholland: A Bill for an Act entitled: "An Act to amend Sections 2816, 2841, 2843 and 2911 of the Revised Codes of Montana of 1921, and to amend Section 2898 of the Revised Codes of Montana of 1921, as amended by Chapter 121 of the Session Laws of the Nineteenth Legislative Assembly of 1925; and to amend Section 2981 of

the Revised Codes of Montana of 1921, as amended by Chapter 177 of the Session Laws of the Twenty-first Legislative Assembly of 1929; and to repeal Sections 2978, 2979, 2980, 2982, 2983, 2984, 2985, 2986, 2987, 2988, and 2989 of the Revised Codes of Montana of 1921; all relating to workmen's compensation; and to repeal all Acts and parts of Acts in conflict herewith, with certain reservations."

By Ballard: A Bill for an Act entitled: "An Act to amend Section 4819 Revised Codes of Montana, 1921, relative to the duties of County Attorney."

By Stevens by request: A Bill for an Act entitled: "An Act to amend Section 4916 of the Revised Codes of Montana of 1921, as amended by Chapter 111 of the Laws of the Twentieth Legislative Assembly and by Chapter 89 of the Laws of the Twenty-first Legislative Assembly and by Chapter 121 of the Laws of the Twenty-third Legislative Assembly of the State of Montana, relating to the fees, mileage and expenses of sheriffs."

REPORTS OF SELECT COMMITTEES

Report of Select Committee appointed to mend the clock:

Mr. Speaker: We, your committee, appointed to mend the clock, beg leave to report as follows:

Mr. Speaker:

We, whom you named to mend the clock,
To make it strike and tick and tock,
Report that all our work is done;
That each day now, from sun to sun,
The clock ticks bold in morning light,
And tocks the tale all through the night.
Time marches on.

A brand new clock looks down at you,
We say, perchance, its work is true;
And may our record be the same,
A record holding naught to shame,—
That none may spurn and none deride,—
The clock's hands then shall point with pride,
Time marches on.

We pray you now for our discharge,
In order that we may embargo
On other more important work.
We trust, sir, that we shall not shirk
Our duty here to make such laws
As best may serve the common cause,—
Time marches on.

We further pray that this new clock
May tick with joy, and that each tock
May still the bitter word so rife;
That smiles may grace our friendly strife,
And as we journey on each day
The clock may light us to the way—
Time marches on.

McLAUGHLIN,
GROENE of Fergus,
RITCH,
Committee.

John B. Ritch—Author of above.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Banks and Banking, have had under consideration Senate Bill No. 23, entitled: "An Act to amend Section 20 of Chapter 89 of the Laws of the Twentieth Legislative Session of the State of Montana, as amended by Section 2 of Chapter 145 of the Twenty-second Legislative Assembly of the State of Montana; relating to the dissolution and disincorporation of state banks," respectfully report as follows: That Senate Bill No. 23 be concurred in.

ACHER, Chairman.

On motion of Acher, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 157, entitled: "An Act for a Bill requiring all banks doing business in the State of Montana to furnish an annual report of unclaimed deposits on the first day of March of each year after the passage and approval hereof to the Superintendent of Banks and providing for the publication of the name and address of each person and providing for an examination by the Bank Examiner of the books of the bank at least thirty days prior to March first of each year for the purpose of discovering all unclaimed deposits in either a general checking savings account or otherwise or held upon certificates of deposit or in any other way by said banks and being unclaimed for a period of seven years or more prior to March first of each year and providing further for the payment of all funds unclaimed deposits for said period of time into State Treasury and upon proper distribution into the County Treasury where said bank or banks may be situated to be paid into a fund known as the Old Age Pension Fund, the Montana Teachers Welfare Fund and upon the failure of an Old Age Pension Fund to be divided equally between the Mother's Pension Fund and Widow's Pension Fund," respectfully report as follows: That House Bill No. 157 do not pass.

ACHER, Chairman.

It was moved by Acher, duly seconded, that report be adopted.

On substitute motion, it was moved by Mitchell, duly seconded and carried, that House Bill No. 157 be re-referred to the Committee on Revenue and Taxation.

Mr. Speaker: We, your Committee on Apportionment and Representation, having had under consideration House Bill No. 187, entitled: "An Act to amend Section 44 and 45 of the Revised Codes of Montana, 1921, relative to the apportionment of the membership of the House of Representatives, the number to be elected from each county, and the number of votes that can be cast by each representative," respectfully report as follows: That House Bill No. 187 do not pass.

CONNER, Chairman.

On motion of Conner, report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 143, entitled: "An Act to amend Sections 3681 and 3704, Revised Codes, Montana, 1921, as amended by Chapter 59 of the Laws of the Twentieth Legislative Assembly of the State of Montana, relative to definitions of fur-bearing and predatory animals, and the open and closed season on fur-bearing animals," respectfully report as follows: That House Bill No. 143 do not pass.

LEMMER, Chairman.

On motion of Lemmer, report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 184, entitled: "An Act relative to the

open and closed season on bear," respectfully report as follows: That House Bill No. 184 do pass.

LEMMER, Chairman.

On motion of Lemmer, report adopted.

Mr. Speaker: We, your Committee on Employment, beg to submit the following appointments for the Special Committee on Investigation of the Railroad and Public Service Commission: Stenographers: Marie Riley, Helen Shea, Irene Burns.

MULHOLLAND, Vice-Chairman.

On motion of Mulholland, report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 139, entitled: "An Act relating to licenses for hunting and taking fish within the State of Montana," respectfully report as follows: That House Bill No. 139 do pass.

LEMMER, Chairman.

On motion of Lemmer, report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 140, entitled: "An Act to amend Section 3653, Revised Codes of Montana, 1921, relating to the powers and duties of the State Fish and Game Commission," respectfully report as follows: That House Bill No. 140 do pass.

LEMMER, Chairman.

On motion of Lemmer, report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 171, entitled: "An Act to prohibit the offering or giving of prizes for any game or fish taken within this state and providing for penalties for the violation thereof," respectfully report as follows: That House Bill No. 171 do pass.

LEMMER, Chairman.

On motion of Lemmer, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Senate Bill No. 20, entitled: "An Act to amend Section one (1) of Chapter Six (6) of the Session Laws of the Twenty-third Extraordinary Session 1933-34 relating to and authorizing any county, city, town or school district having an outstanding valid indebtedness in an amount in excess of fifty per centum (50%) of the total indebtedness which it may lawfully incur under the provisions of the Constitution of this state limiting the amount of indebtedness which may be incurred by counties, cities, towns and school districts, to refund its outstanding bonded indebtedness and providing the method and procedure therefor," respectfully report as follows: That Senate Bill No. 20 do pass.

HEDDEN, Chairman.

On motion of Hedden, report adopted.

Mr. Speaker: We, your Committee on Mileage and Per Diem, beg to submit the following report, indicating the number of miles traveled by Mr. E. U. Logan, of the House, and the sum due him therefore, for the Twenty-fourth Legislative Assembly, February 4, 1935.

Logan, E. U., Billings	478 miles	\$33.46
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ROLPH,
WHALEY,
PARKER.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 118, entitled: "An Act relating to actions quieting title to personal property; providing where such actions may be brought; and providing for the procedure which shall be made applicable thereto," respectfully report as follows: That House Bill No. 118 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 73, by Byrne, was this day read three several times and concurred in, title and history agreed to, and bill is herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day, read three several times and passed, title and history agreed to, and are herewith transmitted to the House for concurrence:

S. B. No. 11, by Clifford.

S. B. No. 25, by Shannon.

S. B. No. 37, by Pauline and Baker.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

The Speaker:

House of Representatives,
Helena, Montana.

I have the honor to advise that I have this day approved the following House measures:

H. B. No. 16—Relating to deficiency judgments and defining the term "foreclosure."

H. B. No. 47—Relating to the time of opening and closing of polls for election.

H. B. No. 60—Relating to the powers, duties and limitations of building and loan associations.

F. H. COONEY, Governor.

It was moved by Byrne, duly seconded and carried that the messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Simmons: A Bill for an Act entitled: "An Act to amend Section 10637 of the Revised Codes of Montana, 1921, relating to evidence of publication, what constitutes."

By Simmons: A Bill for an Act entitled: "An Act to amend Section 9122 of the Revised Codes of Montana, 1921, relating to proof of service of summons and complaint, how made."

By Hollenback, Keeley, Colbo, Sullivan, Cooper, Blankenbaker, Hammond, Thien, Harris, Baker, Murphy, Shannon, Carey, Oliver, Holt, Sparling, Eaton, Simmons, Kalberg, Meyer, Wass, Nass, Lamp, Anderson, Putnam, Kelsey, Angvick, Garrison and Cotter: A Bill for an Act entitled: "An Act amending Sections 8883, 8885, 8886, 8887, 8889, 8890, 8893, 8894

and 8895 of the Revised Codes of Montana of 1921 defining juries and the qualifications of jurors; making women eligible for jury service; providing for certain exemptions from jury service; and repealing all Acts and parts of Acts in conflict herewith."

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notice of introduction was this day received:

By Lamp and Simmons: A Bill for an Act entitled: "An Act relating to the consolidation of the county offices enumerated in Section 5 of Article XVI of the Constitution of Montana; providing for a petition for such consolidation and defining the powers and duties of the County Commissioners in relation therewith."

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Printing: Reported S. B. No. 3 and Sub. S. B. No. 8 correctly printed, report adopted.

Committee on Judiciary: Recommend that S. B. No. 59 be amended by striking out in line 18 the word "option" and inserting in lieu thereof the word "discretion" and also by striking out in line 19 the word "in" and in line 20 the words "not more than" and inserting in lieu thereof the words "any time within" and recommend that as so amended, S. B. No. 59 do pass, report adopted.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee on Printing this day reported Senate Bills Nos. 46 and 53 correctly printed, report adopted.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion of Groff, duly seconded and carried, House Bill No. 53 was taken from Committee of the Whole and re-referred to the Committee on Horticulture.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time, and referred to Committees:

S. B. No. 73, by Committee on Taxation: A Bill for an Act entitled: "An Act to amend Section 2153 of the Revised Codes of Montana of 1921, as amended by Chapter 182 of the Acts of the Twenty-third Legislative Assembly of the State of Montana, relating to the lien of personal property taxes and defining priority of personal property taxes as applied to real estate and permitting payment and redemption from the lien thereof." To Taxation Committee.

S. B. No. 74, by Plumer: A Bill for an Act entitled: "An Act to prevent the monopoly of transportation service on the highways of Montana by competing forms of transportation; prohibiting railroad companies from using the public highways for intrastate transportataion of property by motor vehicles; defining the terms used in this Act; providing penalties for the violation of this Act, and repealing all Acts and parts of Acts in conflict herewith." To Roads and Highways Committee.

S. B. No. 75, by Oliver: A Bill for an Act entitled: "An Act to amend Section 138 of Chapter 89, of the Laws of the Twentieth Legislative Assembly, 1927, relating to disposition of assets, remaining after payment of claims, of banks in liquidation by the Superintendent of Banks and final closing of trust." To Banks and Banking Committee.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced in the Senate, read first and second time, and referred to committees:

H. B. No. 43, by Judiciary Committee—To Finance and Claims.

H. B. No. 85, by Public Health and Sanitary Affairs Committee, by request—To Sanitary Affairs.

H. B. No. 96, by Toomey—To Judiciary.

H. B. No. 107, by Judiciary Committee—To Judiciary.

H. B. No. 108, by Judiciary Committee—To Judiciary.

H. B. No. 109, by Judiciary Committee—To Judiciary.

H. B. No. 110, by Judiciary Committee—To Judiciary.

H. B. No. 111, by Judiciary Committee—To Judiciary.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. B. No. 3 do not pass.

That consideration of H. B. No. 53 be passed for the day.

That H. B. No. 61 be amended in Section 1 by adding to the word "letter" in line 6, the letter "s"; and as so amended, recommend said H. B. No. 61 be concurred in.

That H. B. No. 62 be concurred in.

Report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That consideration of S. B. No. 36 be passed for the day.

That S. B. No. 48 do pass.

That S. B. No. 49 be amended in the title by inserting in line 2 the word "Prairie" after the word "Fallon";

Be amended in Section 1 by inserting in line 1 the word "Prairie" after the word "Fallon";

Be amended in Section 1 by inserting in line 10 the word "Prairie" after the word "Fallon";

Be amended in Section 1 by inserting in line 13 the word "Prairie" after the word "Fallon";

On motion, duly seconded and carried, the secretary was authorized to insert a comma after the word "Fallon" in the four preceding amendments to S. B. No. 49;

And as so amended, recommend said S. B. No. 49 do pass.

That S. B. No. 3 do not pass.

That the Committee rise.

On motion, S. B. No. 3 was segregated from the report.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion, duly seconded and carried, Sub. S. B. No. 22 was taken from the Committee on Insurance, ordered printed and placed on General File.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day gave notice that he was about to sign and did sign in open session:

House Bill No. 16.

House Bill No. 47.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the motion of Senator Kilduff to place Senate Bill No. 12 on General File, failed.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Memorial No. 1, by Page, entitled: "A Memorial to the Honorable President of the United States and to the Honorable Secretary of State of the United States, protesting against the reduction of the duty on managanese," was this day adopted.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following were introduced, read first and second time and referred to committees; all appropriation measures having been read at length:

Senate Bill No. 11, introduced by Clifford: A Bill for an Act entitled: "An Act amending Section 7597 R. C. M. 1921, relating to conditional sales contracts, and prohibiting the taking of deficiency judgments upon the repossession of property thereunder, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Judiciary.

Senate Bill No. 25, introduced by Shannon: A Bill for an Act entitled: "An Act legalizing and validating all elections heretofore held in any city or town of this state, authorizing the creation or increase of the indebtedness of such city or town within or exceeding three per centum of the total assessed valuation of the taxable property of said city or town, as ascertained by the last assessment for state and county purposes. For any of the purposes set forth in Subdivision 64, Section 5039, Revised Codes of Montana, 1921, as amended, and Section 1, Chapter 160, Session Laws of Montana, 1931, which elections were held after notice published and posted, as provided in Section 5279, or Section 8, Chapter 160, of the Session Laws of Montana of 1931, at which the proposal to create or increase said indebtedness received a majority of all votes tendered and of all votes cast at such election." Referred to Committee on Revenue and Taxation.

Senate Bill No. 37, introduced by Pauline and Baker: A Bill for an Act entitled: "An Act amending Section 574 R. C. M. 1921, relating to the determination of residence for the purpose of registration or voting." Referred to Committee on Privileges and Elections.

House Bill No. 206, introduced by Toomey, Smith and Padbury: A Bill for an Act entitled: "An Act providing for the printing and binding of Supreme Court Decisions, Session Laws and Codes:" Referred to Committee on Judiciary.

House Bill No. 207, introduced by Southmayd, by request: A Bill for an Act entitled: "An Act appropriating money in satisfaction and settlement of the claim of Marie C. Belcher for injuries sustained by her upon project No. 269B of the State Highway Commission of the State of Montana on the twenty-first day of May, 1934, and directing the State Auditor to draw his warrant upon the State Highway Fund therefore in settlement of said claim upon payment of said warrant." Referred to Committee on Appropriations.

House Bill No. 208, introduced by Stimatz: A Bill for an Act entitled: "An Act to repeal Section 11521 Revised Codes of Montana, 1921, relative to the definition and punishment of vagrants." Referred to Committee on Judiciary.

House Bill No. 209, introduced by Spiegel and Ryan. A Bill for an Act entitled: "An Act to amend Section 2705 of the Revised Codes of Montana, 1921, providing for the appointment, term of employment, compensation, qualifications and duties of electrical inspectors and providing further for the payment of inspection fees." Referred to Committee on Public Safety.

House Bill No. 210, introduced by Acher: A Bill for an Act entitled: "An Act to assure financial responsibility of the owners and operators of motor vehicles to pay damages to others for bodily injuries, including death at any time resulting therefrom, arising out of the ownership, operation, maintenance, control or use upon the ways of the state of such motor vehicles; defining motor vehicle liability bonds and policies and fixing the limits thereof; providing for the deposit of cash or securities in lieu of procuring a motor vehicle liability bond or policy; requiring all persons who operate or permit a motor vehicle to be operated under Chapter 158 Session Laws of 1933 on the ways of the state to procure a motor liability policy or bond or to make such deposit; providing the form and provisions of such motor vehicle liability policies and bonds; providing for the cancellation of such policies and bonds and the procedure therefor; providing for the issuance of binders in lieu of such policies or bonds; providing that the Commissioner of Insurance shall establish reasonable and non-discriminatory premium charges to be used and charged by companies in connection with the issue and execution of the motor vehicle liability policies and bonds; providing for the review of the orders and findings of the com-

missioner; providing for the establishment of a board of appeal on motor vehicle liability policies and bonds; providing for the review of orders of companies purporting to cancel motor vehicle liability policies or bonds by such board; providing for the review of the findings and orders of such board, providing that companies shall not refuse to issue policies or bonds because of the race or color of the applicant; providing that non-residents shall maintain policies of liability insurance after a period of thirty (30) days after the date of entry of the vehicle into the state or the acquisition by a non-resident of a regular place of abode within the state; providing when the liability on policies and bonds shall become absolute; and providing penalties for violations of the provisions of the Act." Referred to Committee on Highways.

THIRD READING OF HOUSE BILLS

House Bill No. 54, introduced by the Committee on Horticulture, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Boone, Brennan, Burris, Buttelman, Byrne, Chamberlain, Chapman, Connors, Coultas, Cusick, Ecton, Egan, Emmons, Ewing, Fowler, Goodwin, Gray, Green (Dawson), Groene (Fergus), Hall, Harwood, Haugan, Heavlin, Hedden, Hinerman, Kathan, Kelly, Kruse, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, McCausland, McLaughlin, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Byrne, Ormsbee, Padbury, Parker, Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, Mr. Speaker. Total 71.

Noes: Acher, Ballard, Busch, Conner, Doe, Emmett, Gordon, Haight, Hamilton, Harlen, Johnson, Kuhl, Lasby, Leary, O'Brien, O'Connor, Petersen (Sheridan), Peterson (Gallatin), Southmayd, Stevens, Stromnes, York. Total 22.

Absent and not voting: Bertsche, Foor, Holding, Joffray, Lovell, Manning, Masterson, Moss, Ritch. Total 9.

The Speaker: Seventy-one have voted "aye", twenty-two have voted "no"; House Bill No. 54 has passed the House.

House Bill No. 72, introduced by Leavitt, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Fowler, Goodwin, Gordon, Green (Dawson), Groene (Fergus), Haight, Hall, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, McCausland, McLaughlin, Metlen, Miller (Roosevelt), Miller, (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 92.

Noes: Boone, Gray, Hamilton. Total 3.

Absent and not voting: Bertsche, Foor, Lovell, Manning, Masterson, Nelson, Ritch. Total 7.

The Speaker: Ninety-two have voted "aye", three have voted "no"; House Bill No. 72 has passed the House.

House Bill No. 102, introduced by the Committee on Judiciary for the Code Commissioner, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, McCausland, McLaughlin, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 97.

Noes: None.

Absent and not voting: Bertsche, Foor, Lovell, Manning, Masterson. Total 5.

The Speaker: Ninety-seven have voted "aye", none have voted "no"; House Bill No. 102 has passed the House.

House Bill No. 55, introduced by the Committee on Horticulture, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Ahlgreen, Balgord, Ballard, Boone, Brennen, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Coultas, Cusick, Ecton, Egan, Emmons, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harwood, Haugan, Heavlin, Hedden, Hinerman, Joffray, Kathan, Kelly, Kruse, Lasby, Leary, Lemmer, Liggett, Lippard, Logan, Lott, McLaughlin, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Byrne, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 75.

Noes: Acher, Anderson, Conner, Doe, Emmett, Ewing, Haight, Harlen, Holding, Johnson, Kuhl, Leavitt, McCausland, O'Brien, O'Connor, Peterson (Gallatin), Ritch, Southmayd, Stevens, Stimatz, Stromnes. Total 21.

Absent and not voting: Bertsche, Lovell, Manning, Masterson, Metlen, Foor. Total 6.

The Speaker: Seventy-five have voted "aye", twenty-one have voted "no"; House Bill No. 55 has passed the House.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Toomey of Lewis and Clark in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 88 and 83, recommend the following:

That consideration of House Bill No. 88 be postponed until the House has considered House Bill No. 79.

That House Bill No. 83 do pass.

TOOMEY, Chairman.

It was moved by Toomey, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by Byrne, duly seconded and carried, that the Committee of the Whole report be amended to show House Bill No. 88 as passed for the day.

Whereupon report of the Committee of the Whole was adopted as amended.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Busch: A Bill for an Act entitled: "An Act to amend Section 2214 of the Revised Codes of Montana of 1921 as amended by Chapter 85 of the Session Laws of 1927, relative to the validating of tax sales and deeds heretofore or hereafter made, defining the rights of original owners or claimants of property or of any interest therein or lien thereon, and of persons (including counties) who have acquired or attempted to acquire or may hereafter acquire or attempt to acquire title to property under any tax sales, or their successors."

By Stevens: A Bill for an Act entitled: "An Act reative to the enactment of a sales tax; providing that the said sales tax shall replace the property tax on property to be exempt from the property tax and also provide revenue for the Old Age Pension Fund."

By Leavitt: A Bill for an Act entitled: "An Act to amend Section 387 Revised Codes of Montana, 1921, relative to the term of office of a notary public."

By Petersen of Sheridan and York: A Bill for an Act entitled: "An emergency Act relating to the granting of relief from mortgage foreclosures and from execution sales of real estate; providing for extending the period of redemption from said mortgage foreclosures and execution sales, and designating the procedure to obtain such relief and the authority of courts in relation thereto; limiting the right to maintain actions for deficiency judgments; extending the expiration of certain periods of redemption, and repealing all Acts and parts of Acts in conflict herewith."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bills Nos. 91, 64, 34, 127, 99.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing, beg leave to report the following correctly printed: House Bills Nos. 46, 65, 182 and 130.

McCAUSLAND, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Mines and Mining, having had under consideration House Bill No. 51, entitled: "An Act to require a bond from employers of labor in mining operations to guarantee the payment of wages," respectfully report as follows: That House Bill No. 51 do not pass, but Substitute House Bill No. 51 do pass.

MITCHELL, Chairman.

On motion of Mitchell, report adopted.

Mr. Speaker: We, your Committee on Roads and Highways, having had under consideration House Bill No. 115, entitled: "An Act to amend Section 11 of Chapter 19 of the Session Laws of the Twentieth Legislative Assembly of Montana of 1927 relating to gasoline exempted from payment of the gasoline tax," respectfully report as follows: That House Bill No. 115 do not pass.

CUSICK, Chairman.

On motion of Cusick, report adopted.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 156, entitled: "An Act amending Sections 4 and 8 of Chapter 104, Laws of 1929, of the 21st Legislative Assembly of the State of Montana relating to the practicing or teaching of beauty culture," respectfully report as follows: That House Bill No. 156 do not pass.

YORK, Chairman.

On motion of York, report adopted.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration Senate Bill No. 35, entitled: "An Act to authorize the Montana State Board of Pharmacy to enact a rule requiring pharmacists to keep a poison register, and providing penalties for violation of such rule," respectfully report as follows: That Senate Bill No. 35 be concurred in.

YORK, Chairman.

On motion of York, report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 37, entitled: "An Act amending Section 574, R. C. M., 1921, relating to the determination of residence for the purpose of registration or voting," respectfully report as follows: That Senate Bill No. 37 be concurred in.

HAIGHT, Chairman.

On motion of Haight, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence:

S. B. No. 2, by Simmons.

Senate Sub. for S. B. No. 16, by Committee on Fairs and Expositions.

S. B. No. 50, by Pauline and Holt.

S. B. No. 52, by Carroll.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under

consideration business on General File, respectfully report and recommend as follows:

That S. B. No. 36 do pass.
That S. B. No. 46 do pass.
That S. B. No. 53 do pass.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Engrossed Bills: Reported Senate Bills Nos. 2, 50, 52 and Sub. 16 correctly engrossed, report adopted.

Committee on Public Buildings: That H. B. No. 94 be concurred in, report adopted.

Committee on Judiciary: That H. B. No. 107 be amended by inserting in line 3, page 1, the words, "A Bill for an Act entitled" followed by a colon; and as so amended, recommend said H. B. No. 107 be concurred in, report adopted.

Committee on Judiciary:
That H. B. No. 108 be concurred in.
That H. B. No. 109 be concurred in.
That H. B. No. 110 be concurred in.
That H. B. No. 96 be concurred in.

That H. B. No. 111 be amended by striking out in line 6 of the title the word, "through" and inserting in lieu thereof the word, "to", and by inserting after the figures "4711" the word "both"; and by striking out in line 17, Section 1, page 1, the word, "through", and inserting in lieu thereof the word "to", and by placing a comma after the figures, "4711" and by inserting after the figures "4711" the words, "both inclusive"; followed by a comma; and as so amended, recommend that said H. B. No. 111 be concurred in.

That S. B. No. 43 do not pass.
That S. B. No. 61 do not pass.

That S. B. No. 62 be amended by striking out in line 5 of the title the letters "R. C. M." and inserting in lieu thereof the words, "Revised Codes of Montana," and by striking out in line 10, Section 1, page 1, the letters "R. C. M." and inserting in lieu thereof the words, "Revised Codes of Montana," and as so amended, recommend said S. B. No. 62 do pass.
Reports adopted.

Committee on Taxation: That S. B. No. 73 do pass, report adopted.
Committee on Education: That S. B. No. 60 do pass.
Committee on Education: That S. B. No. 54 do pass.
Reports adopted.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 62, by Leavitt, was this day read third time and concurred in, title and history agreed to, and bill is herewith returned to the House.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 61, by Stromnes, was this day read third time and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in the Senate amendment:

Senate Committee of the Whole amendment to H. B. No. 61; Amend in Section 1, adding to the word "letter" in line 6, the letter "S". Printed bill only—original bill O. K.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Groene of Fergus, duly seconded and carried, that House Bill No. 119, on General Orders, be passed for the day.

It was moved by Moss, duly seconded and carried, that House Bill No. 88 be placed at the bottom of the list on General Orders, and retained there until ordered otherwise by the House.

It was moved by Byrne, duly seconded and carried, that consideration of Senate amendments to House Bill No. 50 be passed for the day.

It was moved by Boone, duly seconded and carried, that the Committee on Judiciary be granted two more days to get out the statement in reference to the Resolution offered by Mr. Fowler several days ago.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following were introduced, read first and second time, and referred to committee:

Senate Bill No. 2, introduced by Simmons: A Bill for an Act entitled: "An Act defining what constitutes discrimination in the sale of any standard petroleum product within the State of Montana; declaring discrimination to be a fraud; making parties violating Act guilty of misdemeanor; fixing burden of proof; defining the term 'Standard Petroleum Product'; purpose and intent of the Act; duty of County Attorney; providing penalties for violation of the Act, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Petroleum, Oil and Gas.

Substitute Senate Bill No. 16, introduced by Nass, Benjamin and Blankenbaker: A Bill for an Act entitled: "An Act abolishing the Montana State Fair; providing for the disposal of all the property of said institution and repealing Sections 1580 to 1582 inclusive, and Sections 3640 to 3644 inclusive; R. C. M. 1921 and all other Acts and parts of Acts in conflict herewith." Referred to Committee on Fairs and Expositions.

Senate Bill No. 50, introduced by Pauline and Holt: A Bill for an Act entitled: "An Act to amend Chapter 8 of the Acts of the Twenty-third Legislative Assembly of the State of Montana, relating to the letting of contracts by Boards of County Commissioners for the purchase of automobiles, trucks, vehicles, road, highway, or other machinery, apparatus, appliances, equipment, materials and supplies." Referred to Committee on Townships and Counties.

Senate Bill No. 52, introduced by Carroll: A Bill for an Act entitled: "An Act to amend Section one (1) of Chapter one hundred and fifty seven (157) of the Session Laws of Montana for 1933, relating to the gasoline dealers license tax and requiring such dealers to file with the State Board of Equalization a bond conditioned for the payment of gasoline license taxes." Referred to Committee on Petroleum, Oil and Gas.

Substitute House Bill No. 51, introduced by Joffray: A Bill for an Act entitled: "An Act to require a bond from employers of labor in mining operations to guarantee the payment of wages." Referred to Committee on Printing.

House Bill No. 211, introduced by Leavitt: A Bill for an Act entitled: "An Act providing for the establishment and operation of a central accounting department and central accounting system in and for the State of Montana for all departments, bureaus, institutions, boards and other agencies, and providing an appropriation to carry out the provision of this Act." Referred to Committee on State Boards and Officers.

House Bill No. 212, introduced by Leavitt: A Bill for an Act entitled: "An Act relating to the segregation of taxes and assessments in special improvement districts when a part or portion of a lot or taxable unit is sold or conveyed; providing for the division of adjustment of such assessment between the vendee or subsequent owner and original owner; providing for the redemption from a tax sale or any lot or lots heretofor or hereafter made and the segregation of said delinquent assessment for that purpose and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Affairs of Cities.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

Toomey of Lewis and Clark in the Chair. Committee arose.
House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 77, 80, 92, 138, 59; Senate Amendments to House Bill No. 61; House Resolution No. 5; Substitute House Bill Nos. 44 and 36; House Joint Memorials Nos. 4, 5 and 6; recommend the following:

That House Bill No. 77 be amended as follows: Amend Section 1 by striking in lines 5 and 8 the words and figures "sixty (60)" and inserting in lieu thereof the words and figures "fifty-one (51)"; amend by striking out lines 11, 12, 13, 14 and 15 of the printed bill; amend the title of printed bill by inserting in line 1, between the words "Act" and "relating" the following words: "to amend Section 14, Chapter 147, Acts of the Twentieth Legislative Assembly"; amend title by striking in lines 2 and 3 of the printed bill the words "providing when question of bond issue can be re-submitted;" amend Section 1, line 2 of the printed bill by striking the words "so as"; amend by striking out Section 3 in its entirety; and that same do pass as amended.

That House Bill No. 80 be passed for the day.

That House Bill No. 92 be amended as follows: Amend Section 1 in line 8 of the printed bill, after the word "roads" by inserting the words "or abnormal road conditions"; amend Section 1, line 8 of the printed bill by changing the word "unpassable" to "impassable"; and as amended do pass.

That House Bill No. 138 be passed for the day.

That the enacting clause be stricken in House Bill No. 59.

That Senate amendments to House Bill No. 61 be concurred in.

That House Resolution No. 5 be adopted.

That Substitute House Bill No. 44 be passed for the day.

That Substitute House Bill No. 36 be passed for the day.

That House Joint Memorial No. 4 be amended as follows: Amend the title of the printed bill by adding after the last word the following: ", or the lessee of said damsite."; amend by striking out in line 4, the word "at" and inserting in lieu thereof the word "near"; amend line 14 after the word "government" the following words: "or the lessee of said damsite" all amendments referring to the printed memorial, and as amended that the same do pass.

That House Joint Memorial No. 5 do not pass.

That House Joint Memorial No. 6 do pass.

TOOMEY, Chairman.

It was moved by Toomey, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by Stimatz, duly seconded, that House Bill No. 59 be segregated from the report of the Committee of the Whole.

A roll call was demanded by the required number and the motion was lost by the following vote:

Ayes: Ahlgreen, Ballard, Brennan, Burris, Byrne, Chamberlain, Connors, Egan, Emmons, Hinerman, Joffray, Kathan, Liggett, Lippard, Minette, Monahan, Mulholland, O'Brien, O'Byrne, Petersen (Sheridan), Peterson (Valley), Ritch, Ryan, Southmayd, Spiegel, Stimatz, Stromnes, White (Hill), York, Mr. Speaker. Total 30.

Noes: Acher, Anderson, Balgord, Boone, Busch, Conner, Cusick, Doe, Ecton, Emmett, Ewing, Goodwin, Gray, Groene (Fergus), Haight, Hall, Harlen, Haugan, Heavlin, Hedden, Johnson, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Logan, Lott, McCausland, McLaughlin, Metlen, Miller (Roosevelt), Miller (Big Horn), Moss, Nelson, Nutting, O'Connor, Padbury, Parker, Peterson (Gallatin), Quigley, Scofield, Sexton, Smith, Stevens, Toomey, Watson, Whaley, White (Judith Basin), Worden. Total 51.

Absent and not voting: Bertsche, Buttelman, Chapman, Coultas, Foor, Fowler, Gordon, Green (Dawson), Hamilton, Harwood, Holding, Leary, Lovell, Manning, Masterson, Mitchell, Mundy, Neary, Rolph, Sherman. Total 20.

The following passed their vote: Ormsbee.

The Speaker: Thirty have voted "aye" fifty-one have voted "no"; the motion is lost.

On substitute motion, it was moved by Chamberlain, duly seconded, that House Joint Memorial No. 5 be segregated from the report of the Committee of the Whole.

A roll call was demanded by the required number and the motion was lost by the following vote:

Ayes: Ahlgreen, Brennan, Burris, Byrne, Chamberlain, Chapman, Connors, Cusick, Egan, Emmons, Fowler, Hinerman, Joffray, Kathan, Kruse, Kuhl, Lasby, Leavitt, Logan, Miller (Roosevelt), Mulholland, O'Brien, O'Byrne, Petersen (Sheridan), Peterson (Valley), Ryan, Sexton, Spiegel, Stevens, Stimatz, Toomey, Whaley, White (Hill), Mr. Speaker. Total 34.

Noes: Acher, Anderson, Balgord, Ballard, Boone, Busch, Buttelman, Conner, Coultas, Doe, Ecton, Emmett, Ewing, Goodwin, Groene (Fergus), Haight, Hall, Hamilton, Harlen, Haugan, Heavlin, Hedden, Johnson, Kelly, Lemmer, Liggett, Lippard, Lott, McCausland, McLaughlin, Metlen, Miller (Big Horn), Moss, Nelson, Nutting, O'Connor, Ormsbee, Padbury, Parker, Peterson (Gallatin), Quigley, Ritch, Scofield, Southmayd, Stromnes, Watson, White (Judith Basin), Worden, York. Total 49.

Absent and not voting: Bertsche, Foor, Gordon, Gray, Green (Dawson), Harwood, Holding, Leary, Lovell, Manning, Masterson, Minette, Mitchell, Mundy, Neary, Rolph, Sherman, Smith. Total 18.

The following passed their vote: Monahan.

The Speaker: Thirty-four have voted "aye," forty-nine have voted "no"; the motion is lost.

Whereupon, the report of the Committee of the Whole was adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Fowler: A Bill for an Act entitled: "An Act to provide state compensation for persons injured by motor vehicles of the highways of Montana; requiring the payment of a special fee by owners of motor vehicles to provide a fund for the payment of such compensation; providing a schedule of compensation to be paid under the terms of this Act; defining the powers and duties of the Industrial Accident Board in relation to the administration of this Act; defining certain terms used herein; providing penalties for the violation of this Act, and repealing all Acts in conflict herewith."

By Mulholland, Spiegel, Ryan, O'Brien, Mitchell, Neary: A Bill for an Act entitled: "An Act providing for the reorganization of benefit associations; providing for a minimum membership fund and bond necessary before authorization to do business; providing for the amount and method of collecting membership fees; annual dues and assessments, and a fund for the payment of benefits to members of beneficiaries of members; providing conditions of issuance, revocation, and status of certificates of membership; providing certain exemptions; providing for the regulation thereof by the insurance commissioner; providing fees to be paid by said association; prohibiting foreign benefit associations doing business in this state; providing penalties."

MOTIONS AND RESOLUTIONS

It was moved by Stromnes, duly seconded and carried, that House Bill No. 138 be taken from General Orders and re-referred to the Committee on Judiciary.

It was moved by Byrne, duly seconded and carried, that the House adjourn until 10:30 o'clock A. M. Wednesday morning, February 6th, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

THIRTY-FIRST DAY

House of Representatives,
Helena, Montana, February 6th, 1935.

House convened, pursuant to adjournment at 10:30 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by Chaplain.

On roll call, all members present.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the thirtieth legislative day, find the same to be correct.

QUIGLEY, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following considered correctly engrossed: House Joint Memorial No. 6 and House Resolution No. 5.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bill No. 83.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing, beg leave to report the following correctly printed:

House Bills Nos. 177, 179, 149, 180, 86 and 178.

McCAUSLAND, Chairman.

Without objection report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Ewing: A Bill for an Act entitled: "An Act relative to the Employment of Teachers."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 34, entitled: "An Act to provide for the submission to the qualified electors of the State of Montana of an amendment to Article XVI of the Constitution of the State of Montana by adding thereto a section to be known as Section 8 prohibiting the abandonment, abolition, and/or consolidation of counties in whole or in part or at all except by a majority vote of the duly qualified electors in the county or counties proposed to be abandoned, abolished and/or consolidated," respectfully report as follows: That Senate Bill No. 34 is concurred in and it is recommended that this bill be referred to the Committee on Constitutional Amendments.

BALLARD, Chairman.

On motion of Ballard, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 148, entitled: "An Act to secure the attendance of witnesses from without the state in criminal cases, providing summons with respect to such witnesses, exemptions from arrest and service of process, and to make uniform the law with reference thereto," respectfully report as follows: That House Bill No. 148 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 150, entitled: "An Act to amend Section 10149, Revised Codes of Montana, 1921, providing that estates of less than fifteen hundred dollars to go to wife and child—those less than three thousand to be summarily administered," respectfully report as follows: That House Bill No. 150 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration the resolution by Representative Fowler, instructing this committee to prepare a statement relative to Article 5, Section 7, of the Constitution of the State of Montana, respectfully report as follows:

In regard to Section 7, Article 5, of the Constitution of the State of Montana, which provides:

"No Senator or Representative shall, during the term of which he shall have been elected, be appointed to any civil office under the state," we find that the question has arisen in our courts in the case of State ex rel Barney vs. Hawkins, 79M. 506, 257 P. 411, 53 A. L. R. 583, and in the recent case of State ex rel, Nagle, Attorney General, vs. Page, 37 P. (2d) 575, decided November 7, 1934.

In the Barney case the court defined the essential elements necessary in order for a public servant to be a public officer, as distinguished from a public employee, in the following language:

"We hold that five elements are indispensable in any position of public employment, in order to make it a public office of a civil nature;

(1) It must be created by the Constitution or by the legislature or created by a municipality or other body through authority conferred by the legislature.

(2) It must possess a delegation of a portion of the sovereign power, of government, to be exercised for the benefit of the public.

(3) The powers conferred, and the duties to be discharged, must be defined, directly or impliedly, by the legislature, or through legislative authority.

(4) The duties must be performed independently and without control of a superior power, other than law, unless they be those of an inferior or subordinate officer, created or authorized by the legislature, and by it placed under the general control of a superior officer or body.

(5) It must have some permanency and continuity, and not be only temporary or occasional."

In addition, in this state, an officer must take and file an official oath, hold a commission, or other written authority, and give an official bond, if the latter be required but proper authority.

In the following cases it was held that persons who performed certain duties for the benefit of the public, but over whom there was a superior officer who supervised their conduct and exercised discretion in administering the affairs of the office, were employees and not public officers:

Johnson vs. State, ex rel Maxey, 99 Fla. 1311, 128 So. 853.

Jagger vs. Green, 90 Kan. 153, 133 P. 174.

In re Nagler, 194, Wis. 437, 216 N. W. 493.

Burrell vs. Bridgeport, 96, Conn. 555, 114 A. 679.

La Chicate vs. City of N. Y. 166 App. Div. 279, 151 N. Y. S. 566.

Devlin vs. City of N. Y. (Mun Ct.) 149 N. Y. S. 1061.

The Montana Supreme Court in the Page case said that at the outset the State Boiler Inspector had the power to make rules, but by the enactment of Chapter 92, Laws of 1917, the power to make rules was reserved, but lodged in the Industrial Accident Board. Boiler inspectors were thereby placed under the general supervision of the board (Section 3034, Rev. Codes, 1921) and the power was granted to and it became the duty of the board to provide rules and regulations under which boiler inspectors performed their duties, so prior to 1917 a portion of the sovereign power of the state was delegated to the State Boiler Inspector.

In State ex rel Boyle, vs. Hall, 53 Mont. 595, 165 P. 757, the court said that sovereign power is exercised by that portion of the personal force of the state by which it thinks, acts, determines, and administers, to the end that its constitution may be effective and its laws operative. The mere fact that the laws prescribe certain duties to be performed by one occupying a public position is not determinative of the fact that a portion of the sovereign power has been delegated, as in the case of a public administrator (Wooten vs. Smith, 145 N. C. 476, 59 S. E. 649).

In the Page case, the court then held that the Industrial Accident Board is the officer, under the statutes, who administers the law, and exercises discretion and independence of action in the inspection of boilers. The delegation of some part of the sovereign power under the statute is to the board, and not to the Boiler Inspector, so a Boiler Inspector is not a public officer, but is an employee of the state.

Therefore, according to the Montana cases, if there is a delegation of some part of the sovereign power by the Constitution or the legislature to the position, and the other conditions are present, it is a public office. But if there is a superior officer who supervises the conduct and prescribes the rules and regulations, then one would be an employee of the state and not a public officer and would not come within the provisions of Section 7, Article 5 of the Constitution.

It would seem to us that there are many positions in the state to which a member of the legislature hereafter may be appointed which, even after the Page case, will require court determination as to whether there is a delegation of sovereign power.

For the question of whether one is a servant or agent carrying out certain powers, which are the powers of a principal and not their own, of whose duties are those of a ministerial employee of a superior sovereign agency of the state is one in many cases for a court to determine.

BOONE, Chairman.

It was moved by Boone, duly seconded, that the report of the Judiciary Committee be adopted.

On substitute motion, it was moved by Fowler, duly seconded and carried, that the report be accepted and placed on file.

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 40, entitled: "An Act to amend Section 8289, Revised Codes of Montana, 1921, relating to acknowledgements of satisfaction of chattel mortgages; providing for the filing thereof in the office of the Secretary of State," respectfully report as follows: That House Bill No. 40 do pass.

BURRIS, Chairman.

On motion of Burris, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration Senate Bill No. 25, entitled: "An Act legalizing and validating all elections heretofore held in any city or town of this state, authorizing the creation or increase of the indebtedness of such city or town within or exceeding three per centum (3%) of the total assessed valuation of the taxable property of said city or town, as ascertained by the last assessment for state and county purposes, for any of the purposes set forth in Subdivision 64, Section 5039, Revised Codes of Montana, 1921, as amended, and Section 1, Chapter 160, Session Laws of Montana, 1931, or under the provisions of Chapter 24 of the Extraordinary Session of the Twenty-third Legislative Assembly, which elections were held after notice published and posted, as provided in Section 5279, or Section 8, Chapter 160, of the Session Laws of Montana of 1931, at which the proposal to create or increase said indebtedness received a majority of all votes tendered and of all votes cast at such election," respectfully report as follows: That Senate Bill No. 25 be referred to the Judiciary Committee.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 137, entitled: "An Act to amend Section 4462 of the Revised Codes of Montana, 1921, as amended by Chapter 35 of the Laws of the Twenty-first Legislative Assembly of the State of Montana for the year 1929, relating to time of regular meetings and extra sessions of Boards of County Commissioners," respectfully report as follows: That House Bill No. 137, be amended as follows: By adding in line 25 after the word "session," of the original copy, the words, "and has notified the members of the board thereof."; and as amended do pass.

BALLARD, Chairman.

On motion of Ballard, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 78, entitled: "An Act to amend Section 2000, Revised Codes, Montana 1921, relating to basis for imposition of taxes," respectfully report as follows: That House Bill No. 78 do not pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 128, entitled: "An Act to amend and supplement Section 1999 and 2000 of the Revised Codes of Montana of 1921, relating to the classification of property for taxation and the basis for imposition of taxes," respectfully report as follows: That House Bill No. 128 do not pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 202, entitled: "An Act to amend Section 6236 of the Revised Codes of Montana of 1921, as amended by Chapter 145, Laws of the Eighteenth Legislative Assembly of the State of Montana, 1923, relating to official bonds required of public officers," respectfully report as follows: That House Bill No. 202 do pass.

BURRIS, Chairman.

On motion of Burris, report adopted.

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 39, entitled: "An Act to amend Sections 8276, 8277, 8278, 8279 and 8280 of the Revised Codes of Montana, 1921, relating to chattel mortgages, and providing for a central filing and reporting system, for chattel mortgages, and for the expiration of the lien of chattel mortgages as to all persons, and amending Section 145 of the Revised Codes of Montana, 1921, relating to the fees of the Secretary of State in connection therewith," respectfully report as follows: That House Bill No. 39 do pass.

BURRIS, Chairman.

On motion of Burris, report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 6, entitled: "An Act to amend Sections 12093, 12094, 12095, 12097, 12098, 12099, 12100, 12101, 12103 and 12104 of the Revised Codes of Montana of 1921, relating to the execution of any person upon judgment of death, proceedings upon insanity of defendants after judgment of death, proceedings where a female against whom a judgment of death is rendered is supposed to be pregnant; place of execution of judgment of death, and who to be present thereat, and relating to the execution of any person by the sheriff of the county in which the crime was committed, and to the suspension of judgment of execution by the said sheriff and to the revival of the said judgment by the Governor," respectfully report as follows: That House Bill No. 6 do not pass and that Substitute House Bill No. 6, do pass.

MONAHAN, Chairman.

On motion of Ballard, report adopted.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following correctly enrolled: House Bills Nos. 62 and 73.

MONAHAN, Chairman.

Without objection, report adopted.

I have read House Bill No. 73 as reported from the Enrolling Committee and certify same to be correct.

BYRNE, Chairman.

The Speaker announced he was about to sign House Bill No. 73 whereupon the clerk read the title of the same and the Speaker did sign in the presence of the House.

I have read House Bill No. 62 as reported from the Enrolling Committee and certify same to be correct.

LEAVITT.

The Speaker announced he was about to sign House Bill No. 62, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence:

S. B. No. 48, by Plank.

S. B. No. 49, by Oliver.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that the messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced in the Senate, read first and second time and referred to committees:

H. J. M. 1—To Federal Relations.

H. J. M. 2—To Federal Relations.

H. B. No. 90—To State Boards and Offices.

H. B. No. 100—To Judiciary.

H. B. No. 101—To Judiciary.

H. B. No. 102—To Education.

H. B. No. 103—To Judiciary.

H. B. No. 104—To Judiciary.

H. B. No. 105—To Judiciary.

H. B. No. 106—To Judiciary.

H. B. No. 112—To Judiciary.

H. B. No. 54—To Horticulture.

H. B. No. 55—To Horticulture.

H. B. No. 72—To Elections and Privileges.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced read first and second time, and referred to committees:

S. B. No. 76, by Judiciary Committee: A Bill for an Act entitled: "An Act providing for the mortgaging of the right of dower of an insane married woman, and providing for the appointment of a guardian of an insane married woman when her only property is right of dower in her husband's real estate." To Judiciary Committee.

S. B. No. 77, by Simmons: A Bill for an Act entitled: "An Act to amend Section 9122 of the Revised Codes of Montana, 1921, relating to proof of service of summons and complaint—how made." To Judiciary Committee.

S. B. No. 78, by Simmons: A Bill for an Act entitled: "An Act to amend Section 10637 of the Revised Codes of Montana, 1921, relating to evidence of publication—what constitutes." To Judiciary Committee.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Meyer: A Bill for an Act entitled: "An Act to amend Chapter 12 of the Laws of the Twenty-third Legislative Session, defining nepotism and to prevent such practice in the State of Montana, and prescribing the penalties thereof."

By Putnam: A Resolution requesting the enactment by Congress of the United States of Senate Bill No. 266 now pending in the Senate of the United States, being a bill to provide for the erection of a public historical museum in the Custer Battlefield National Cemetery in Montana."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Judiciary: That S. B. No. 72 do not pass.

Committee on Judiciary: That S. B. No. 76 do pass.

Committee on Judiciary: That H. B. No. 63 be concurred in.

Committee on Judiciary: That S. B. No. 66 be amended by striking out in line 18 of the word, "payee" and by striking out in line 19 the words, "or holder," and inserting in lieu thereof the following words, "maker, his executor, administrator or assigns," and as so amended, do pass.

Reports adopted.

Committee on Stockgrowing and Grazing: That S. B. No. 69 be amended in Section 1 by striking out in line 15 the words, "Taylor Act", and inserting in lieu thereof the words, "Laws of the United States Government," and as so amended, recommend said S. B. No. 69 do pass, report adopted.

Committee on Finance and Claims: That H. B. No. 43 be concurred in, report adopted.

Committee on Engrossed Bills: Reported Senate Bills Nos. 48 and 49 correctly engrossed, report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Groene of Fergus, duly seconded and carried, that House Bill No. 119 be taken from General Orders and re-referred to the Committee on Judiciary.

It was moved by Spiegel, duly seconded and carried, that House Bill No. 28 be taken from General Orders and referred back to the Labor Committee.

It was moved by Foor, duly seconded and carried, that consideration of Substitute House Bill No. 36 be passed for the day.

It was moved by Byrne, duly seconded and carried, that all Senate Bills on General Orders be placed at the bottom of the list just above House Bill No. 88.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF THE SAME

The following were introduced, read first and second time, and referred to committees:

Senate Bill No. 48, introduced by Plank: A Bill for an Act entitled: "An Act to amend Section 10485 of the Revised Codes of Montana 1921, relating to the payment of mothers' pension allowance in the event of the conviction and imprisonment of the father of the family." Referred to Committee on Judiciary.

Senate Bill No. 49, introduced by Oliver: A Bill for an Act entitled: "An Act relating to the closed season for deer, elk, and antelope in Fallon and Carter Counties, State of Montana, providing for the power and duties of the Montana Fish and Game Commission relating to the provisions of this Act; making the violation of this Act a misdemeanor and providing a penalty for such violation, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Fish and Game.

House Bill No. 213, introduced by Ballard: A Bill for an Act entitled: "An Act to amend Section 4819 Revised Codes of Montana, 1921, relative to the duties of County Attorney." Referred to Committee on Judiciary.

House Bill No. 214, introduced by Busch: A Bill for an Act entitled: "An Act to amend Section 2214 of the Revised Codes of Montana of 1921 as amended by Chapter 85 of the Session Laws of 1927, relative to the validating of tax sales and deeds heretofore or hereafter made, defining the rights of original owners or claimants of property or of any interest therein or lien thereon, and of persons (including counties who have acquired or attempted to acquire or may hereafter acquire or attempt to acquire title to property under the tax sales, or their successors." Referred to Committee on Townships and Counties.

House Bill No. 215, introduced by York and Petersen of Sheridan: A Bill for an Act entitled: "An emergency Act relating to the granting of relief from mortgage foreclosures and from execution sales of real estate; providing for extending the period of redemption from said mortgage foreclosures and execution sales, and designating the procedure to obtain such relief and the authority of courts in relation thereto; limiting the right to maintain actions for deficiency judgments; extending the expiration of certain periods of redemption, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 216, introduced by Stevens: A Bill for an Act entitled: "An Act to amend Section 4916 of the Revised Codes of Montana of 1921, as amended by Chapter 111 of the Laws of the Twentieth Legislative Assembly and by Chapter 89 of the Laws of the Twenty-first Legislative Assembly and by Chapter 121 of the Laws of the Twenty-third Legislative Assembly of the State of Montana, relating to the fees, mileage and expenses of sheriffs." Referred to Committee on Townships and Counties.

House Bill No. 217, introduced by Mulholland, Spiegel, Ryan, O'Brien, Mitchell and Neary: A Bill for an Act entitled: "An Act providing for the reorganization of benefit associations; providing for a minimum membership fund and bond necessary before authorization to do business; providing for the amount and method of collecting membership fees; annual dues and assessments, and a fund for the payment of benefits to members

or beneficiaries of members; providing conditions of issuance, revocation, and status of certificates of membership; providing certain exemptions; providing for the regulation thereof by the Insurance Commissioner; providing fees to be paid by said association; prohibiting foreign benefit associations doing business in this state; providing penalties." Referred to Committee on Insurance.

The Speaker announced he was about to sign Senate Joint Resolution No. 2, whereupon the clerk read the title of the same and the Speaker did sign in the presence of the House.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

House Bill No. 64, introduced by Burris, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gray, Groene (Fergus), Haight, Hall, Hamilton, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 91.

Noes: None.

Absent and not voting: Buttelman, Gordon, Green (Dawson), Harlen, Harwood, Leary, McCausland, Monahan, Ritch, Sherman. Total 10.

The following passed their vote: Stromnes.

The Speaker: Ninety-one have voted "aye", none have voted "no"; House Bill No. 64 has passed the House.

House Bill No. 34, introduced by Ahlgreen, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gray, Groene (Fergus), Haight, Hall, Hamilton, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 94.

Noes: None.

Absent and not voting: Gordon, Green (Dawson), Harlen, Harwood, Leary, Monahan, Ritch, Sherman. Total 8.

The Speaker: Ninety-four have voted "aye", none have voted "no"; House Bill No. 34 has passed the House.

House Bill No. 127, introduced by Toomey, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gray, Haight, Hall, Hamilton, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Smith, Southmayd, Spiegel, Stevens, Stromnes, Toomey, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 89.

Noes: Chapman, Stimatz. Total 2.

Absent and not voting: Bertsche, Gordon, Green (Dawson), Groene (Fergus), Harlen, Harwood, Leary, Ritch, Sherman, White (Judith Basin). Total 10.

The following passed their vote: Lott.

The Speaker: Eighty-nine have voted "aye", two have voted "no"; House Bill No. 127 has passed the House.

House Bill No. 99, introduced by the Judiciary Committee for the Code Commissioner, was passed by the following vote:

Ayes: Acher, Ahlgreen, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gray, Haight, Hall, Hamilton, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 93.

Noes: None.

Absent and not voting: Anderson, Gordon, Green (Dawson), Groene (Fergus), Harlen, Harwood, Leary, Ritch, Sherman. Total 9.

The Speaker: Ninety-three have voted "aye", none have voted "no"; House Bill No. 99 has passed the House.

House Bill No. 91, introduced by Burris and others, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Hall, Hamilton, Haugan, Heavlin, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 87.

Noes: Haight, Hedden, Logan, Nelson. Total 4.

Absent and not voting: Gordon, Gray, Green (Dawson), Groene (Fergus), Harlen, Harwood, Leary, Minette, Ritch, Sherman. Total 10.

The following passed their vote: White (Judith Basin). Total 1.

The Speaker: Eighty-seven have voted "aye"; four have voted "no"; House Bill No. 91 has passed the House.

House Bill No. 83, introduced by Burris, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Groene (Fergus), Haight, Hall, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Smith, Southmayd, Spiegel, Stevens, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 88.

Noes: Gray, Hamilton, Haugan, Stimatz. Total 4.

Absent and not voting: Conner, Gordon, Green (Dawson), Harlen, Harwood, Leary, Nelson, Ritch, Sherman. Total 9.

The following passed their vote: Kuhl. Total 1.

The Speaker: Eighty-eight have voted "aye", four have voted "no"; House Bill No. 83 has passed the House.

House Joint Memorial No. 6, introduced by Nutting, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gray, Haight, Hall, Hamilton, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 94.

Noes: None.

Absent and not voting: Gordon, Green (Dawson), Groene (Fergus), Harlen, Harwood, Leary, Ritch, Sherman. Total 8.

The Speaker: 94 have voted "aye", none have voted "no"; House Joint Memorial No. 6 has passed the House.

House Resolution No. 5, introduced by O'Byrne and Spiegel, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Ballard, Brennan, Burris, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Foor, Fowler, Goodwin, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Leavitt, Liggett, Lott, Lovell, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Byrne, Ormsbee, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Whaley, White (Hill), York, Mr. Speaker. Total 67.

Noes: Ewing, Minette, Watson, Worden. Total 4.

Absent and not voting: Balgord, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hamilton, Harlen, Harwood, Lasby, Leary, Manning, Nelson, O'Connor, Ritch, Sherman, Smith. Total 17.

The following passed their vote: Acher, Bertsche, Boone, Busch, Byrne, Hall, Kuhl, Lemmer, Lippard, Logan, Miller (Big Horn), Padbury, Stromnes, White (Judith Basin). Total 14.

The Speaker: 67 have voted "aye", 4 have voted "no"; House Resolution No. 5 has passed the House.

It was moved by Byrne, duly seconded and carried, that the House pass consideration of General Orders until the afternoon session.

It was moved by Byrne, duly seconded and carried, that the House recess until 1:30 P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

Bertsche and Stromnes, by request: A Bill for an Act entitled "An Act to amend Section 4462 of the Revised Codes of Montana of 1921, as amended by Chapter 35 of the Session Laws of the Twenty-first Legislative Assembly relating to the time of regular meetings and extra sessions of the Boards of County Commissioners."

By Holding and Burris: A Bill for an Act entitled: "An Act to amend Section 520 of the Revised Codes of Montana of 1921 as amended by Chapter 146 of the 1933 Session Laws relating to the printing and distribution of reports of state officers."

By Ewing: A Bill for an Act entitled: "An Act to amend Section 3683, Revised Codes of Montana, as amended, relative to the classes of fish and game licenses and to amend Section 3685, Revised Codes of Montana, 1921, as amended, relative to fees and powers under licenses."

By Harlen: A Bill for an Act entitled: "An Act to permit the payment of delinquent taxes, assessments, penalties and interest on real estate and certain personal property by installment payments, and repealing all Acts and parts of Acts in Conflict herewith."

By Fowler: A Bill for an Act entitled: "An Act authorizing the court to propose or declare, rates, fares, charges, classifications, joint rates, regulations, practices or services which it deems reasonable as a guide to the Public Service Commission in all cases brought to set aside rates or charges fixed by the Public Service Commission."

By Fowler: A Bill for an Act entitled: "An Act providing for the payments of expenses incurred in public utility investigations."

By Fowler: A Bill for an Act entitled: "An Act authorizing the Public Service Commission to designate any one or more persons, whether in the regular employ of the commission or not, to make an investigation into the reasonableness of the rates, charges and schedules of any public utility, and to make an appraisal of the property of any public utility."

By Committee on Appropriations, Fowler, Chairman; by request: A Bill for an Act entitled: "An Act to appropriate money for the payment of the claim of Ford E. Hovey and Matt H. Tschirgi, as executors of the last will and testament of Frank M. Heinrich, deceased, for the repayment of excess inheritance tax paid by the said executors."

By Egan: A Bill for an Act entitled: "An Act relating to hearings upon claims for compensation."

By Balgord and Liggett: A Bill for an Act entitled: "An Act to provide for the inspection and analysis of commercial feeding stuffs and to regulate the sale thereof in the State of Montana; to define the term 'Commercial Feeding Stuff'; to provide for guarantees of the ingredients of commercial feeding stuffs and affixing labels to the package thereof; to prohibit the sale of fraudulent or adulterated commercial feeding stuffs; to fix the penalties for the violation of the provisions of the Act."

By Mulholland: A Bill for an Act entitled: "An Act prohibiting the sale of commodities in retail stores and wholesale warehouses on Sundays and holidays and between the hours of 6 o'clock P. M. and 9 o'clock A. M. on week days in cities and towns in this state containing more than twenty-five hundred inhabitants; defining terms used therein; stating exemptions from the provisions of the Act, and providing penalties for violations thereof."

By Mulholland: A Bill for an Act entitled: "An Act of emergency relating to taxation and the regulating of the sale of property for taxes delinquent in the year 1934, and remitting the penalty for such delinquent taxes for said year if paid before October 1, 1935."

By Goodwin: A Bill for an Act entitled: "An Act providing for the payment of the interest and principal of outstanding bonds of counties, cities, towns and school districts, and providing penalties for the failure, neglect or refusal to make such interest and sinking fund levies as are required by law, and repealing Section 26 of Chapter 188, and Section 23 of Chapter 160, of the Laws of the Twenty-second Legislative Assembly, and Section 27 of Chapter 147 of the Laws of the Twentieth Legislative Assembly, and all Acts or parts of Acts in conflict herewith."

By Ritch, Groene (Fergus), Haight, Egan: A Bill for an Act entitled: "An Act relating to sales and conveyances of real property by the Board of County Commissioners; defining 'Mineral' and 'Real Property' and permitting the board when making sales and conveyances of real property to reserve a per centum of the minerals therein or taken therefrom; providing that the person mining, producing, extracting or otherwise taking any minerals from real property in which a per centum of the minerals have been reserved shall pay to the owner or owners of the mineral reservations the fair market value of the reserved per centum of the minerals mined, produced, extracted or otherwise taken from such real property, which obligation shall run with the unreserved minerals; permitting the sale and conveyance of such mineral reservations or parts thereof; providing for the disposition of the proceeds from such mineral reservations or the sale thereof, and validating and confirming reservations, sales, conveyances and all contracts and agreements in connection therewith, which have been heretofore made."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, beg leave to report the following correctly printed: House Bills Nos. 118, 184, 79, 139, 171, 140; Substitute House Bill No. 51.

McCAUSLAND, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bill No. 92, House Joint Memorial No. 4.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 11, entitled: "An Act to regulate the nomination and election of all judges of court of the state; abolishing certain existing methods in such cases and the use of party or political designations at elections to such offices; imposing certain duties upon the Secretary of State and county officers having charge of election affairs and judges and clerks of election, and adapting the provisions of the Laws as they now exist to the non-partisan election of judges of courts of the state," respectfully report as follows: That House Bill No. 11 do not pass, but that Substitute House Bill No. 11 do pass.

On motion of Boone, report adopted.

BOONE, Chairman.

Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 117, entitled: "An Act to be hereafter named and cited as the Old Age Insurance Act, creating the Old Age Insurance Commission, prescribing their duties as such and giving to said Old Age Insurance Commission power to employ a secretary and other employees and fix their salaries or compensation, and to make such rules and regulations as shall be necessary to carry out the provisions of this Act, providing certain persons over the age of fifty-five years may be granted old age insurance, describing their qualifications therefor as to residence, character and property; creating the state old age insurance fund, providing for the repayment to the old age insurance fund of all money paid in old age insurance under certain conditions; providing the requirements to be made by the applicant before the old age insurance may be collected; providing for old age insurance certificates, and renewal thereof; providing for payment of old age insurance; providing that old age insurance shall not be subject to assignment, sale, attachment or execution; providing for cancellation of old age insurance certificates under certain conditions; providing that the funds for payment of old age insurance shall be furnished or obtained from such sources as the Legislature may determine; providing for penalties for obtaining or aiding and abetting in obtaining old age insurance through false representation or fraud; providing for the disqualification of applicants under certain conditions; providing that old age insurance shall be paid from the state old age insurance fund; and providing for the reports of Old Age Insurance Commission to the Legislature; and repealing Chapter 72, Session Laws 1923, and all Acts or parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 117 be printed and placed on General Orders.

O'BYRNE, Chairman.

On motion of O'Byrne, report adopted.

Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 116, entitled: "A Bill for an Act establishing a State Old Age Pension Commission; providing for the payment of pensions; providing penalties for the violation of the Act; repealing all Acts or parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 116 do not pass.

O'BYRNE, Chairman.

On motion of O'Byrne, report adopted.

Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 189, entitled: "An Act to amend Section 6339 of the Revised Codes of Montana of 1921, as amended by Chapter Fifty-five of the Session Laws of the Twenty-second Legislative Assembly of the State of Montana, relating to the payment of death and annuity benefits upon lives of children; providing for the organization and operation of a branch of the society for children, and providing for the amount of benefits payable thereunder," respectfully report as follows: That House Bill No. 189 do pass.

O'BYRNE, Chairman.

On motion of O'Byrne, report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Bill No. 19, entitled: "An Act to amend Section 816 of the Revised Codes of Montana of 1921, as amended by Chapter Fifteen (15) of the Session Laws of 1933, relating to the time and place of meeting of presidential electors," respectfully report as follows: That Senate Bill No. 19 be concurred in.

STEVENS, Chairman.

On motion of Stevens, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded, that the House reconsider its action on House Bill No. 59.

A call of the House was demanded by the required number.

It was moved by Burris, duly seconded and carried, that the call of the House be dispensed with.

It was moved by Byrne, duly seconded and carried, that the question be indefinitely postponed.

It was moved by Boone, duly seconded and carried, that the House reconsider its action on House Joint Memorial No. 5.

It was moved by Lott, duly seconded and carried, that further consideration of House Joint Memorial No. 5 be indefinitely postponed.

It was moved by Bertsche, duly seconded and carried, that consideration of House Bill No. 180 be passed for the day.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF THE SAME

The following was introduced, read first and second time, and referred to the Committee on Public Morals, Charities and Reforms.

H. B. No. 218, introduced by Joffray, Spiegel, Groene (Fergus), Lemmer, Ahlgreen, Burris, Emmons, O'Connor: A Bill for an Act entitled: "An Act to regulate and license the manufacture and sale, at wholesale or retail, of any and all alcoholic liquors or beverages in the State of Montana; providing for a license tax to be paid by wholesale or retail vendors other than the State of Montana, both as respects licenses issued by the state as well as by cities within the state; providing for the apportionment and distribution of fees collected or moneys earned in the administration of the law; declaring the policy of the law in the sale of alcoholic beverages; and repealing Chapter 105 of the Laws of 1933."

It was moved by Byrne, duly seconded and carried that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

Leavitt of Custer in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 80, 136, 48, 46, 65, and 182; recommend the following:

That House Bill No. 80 do pass.

That Senate amendments to House Bill No. 50 be concurred in.

That Substitute House Bill No. 44 do pass.

That House Bill No. 136 do pass.

That the enacting clause be stricken from House Bill No. 48.

That House Bill No. 46 be passed for the day.

That House Bill No. 65 be amended as follows: Amend Section 3 in

line 7 after the first "levy" and in lines 8 and 9 after the second "levy" the following: "of approximately (state the number of mills) mills"; and as amended, do pass.

That House Bill No. 182 do pass.

LEAVITT, Chairman.

On motion of Leavitt, report adopted.

The House recessed temporarily for an informal session during which Moss of Flathead and Byrne of Toole introduced Mrs. W. P. Pilgeram, wife of the Speaker, to the House, and a basket of flowers was presented to her as a gift from the House.

Upon motion of Byrne, Committee of the Whole resumed. Leavitt in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bill No. 65, House Bills Nos. 130, 177, 179, 149, 86, 178; Senate Bills Nos. 15, 7, 23, 20, 35, and 37; recommend the following:

That Senate Bill No. 65 be passed temporarily.

That House Bill No. 130 do pass.

That House Bill No. 177 be amended as follows: Amend Section 2 of the printed bill in line 2 by adding after the word "fairs" the words "or Rodeo Associations" and the same amendment in line 3 and as amended, do pass.

That House Bill No. 179 be amended as follows: Amend Section 2 of the printed bill in line 2 by adding after the word "fairs" the words "and Rodeo Associations" and the same amendment in line 3 and as amended, do pass.

That House Bill No. 149 be amended as follows: By striking out in Section 1, line 2 of the printed bill, the words "you may" and as amended, do pass.

That House Bill No. 86 do pass.

That House Bill No. 178 be amended as follows: Amend in Section 2 of the printed bill in line 21 after the word "fairs" by adding the words "and Rodeo Associations," and as amended, do pass.

That Senate Bill No. 15 be passed for the day.

That Senate Bill No. 7 be amended as follows: Amend Section 1 by adding in line 4 of the printed bill after the words "trust company" the following words: "insurance company"; amend the title by adding in line 2 of the printed bill after the words "trust companies" the following: "Insurance Companies"; and that the same be concurred in, as amended.

That Senate Bill No. 23 be concurred in.

That Senate Bill No. 20 be concurred in.

That Senate Bill No. 35 be concurred in.

That Senate Bill No. 37 be concurred in.

LEAVITT, Chairman.

On motion of Leavitt, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Spiegel, duly seconded and carried, that House Bill No. 218 be taken from the Committee on Public Morals, Charities and Reforms and re-referred to the Committee on Revenue and Taxation.

It was moved by O'Connor, duly seconded and carried, that House Bill No. 46 be taken from General Orders and re-referred to the Committee on Privileges and Elections.

It was moved by Chapman, duly seconded and carried, that Senate Bill No. 65 be taken from General Orders and that the report of the Committee on Townships and Counties relating to Senate Bill No. 65 this day reported be stricken from the Journal and the bill be referred according to its history to the Committee on Agriculture.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 94 was this day read third time and concurred in, title and history agreed to, and bill is herewith returned to the House.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Watson and Heavlin: A Bill for an Act entitled: "An Act appropriating money for the payment of the claim of Justin D. Lovely as indemnity for loss of time suffered by him as the result of tuberculosis contracted by him in the service of the State of Montana while an employee at the State Tuberculosis Sanitarium, at Galen, Montana, and providing for the method of paying the same; and for appropriating money for the payment of the claim of Justin D. Lovely for money due him for services rendered to the State of Montana as stockman and farmer at the State Tuberculosis Sanitarium, at Galen, Montana, and providing for the method of paying the same."

By Ritch: A Bill for an Act entitled: "An Act relating to the validity of certain conveyances or transfers of real or personal property to counties, cities, towns or municipal corporations, the consideration therefor, and limiting the time within which actions may be brought concerning the same."

By Toomey, by request: A Bill for an Act entitled: "An Act to amend Section 5085 of the Revised Codes of Montana of 1921, relating to the funding of judgments rendered against cities and towns."

By Committee on Dairying; Sexton, Chairman: A Bill for an Act entitled: "An Act providing for standards for the grading of creamery butter; and to amend Section 59 of Chapter 39 of the Session Laws of 1933 relating to the regulations governing the purchase of milk and cream and providing for standards for the grading thereof; providing for grade purchase differentials; providing for the enforcement thereof and penalties for the violation thereof; and repealing all Acts and parts of Acts in conflict herewith."

It was moved by Byrne, duly seconded and carried, that the House adjourn until Thursday morning at 11:00 o'clock A. M. February 7th, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

THIRTY-SECOND DAY

House of Representatives,
Helena, Montana, February 7th, 1935.

House convened, pursuant to adjournment, at 11:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by Chaplain.

On roll call, all members present.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the thirty-first legislative day, find the same to be correct.

QUIGLEY, Chairman.

Without objection, report adopted

Mr. Speaker: We, your Committee on Printing, beg leave to report the following correctly printed:

House Bills Nos. 150, 202 and 40.

McCAUSLAND, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills 62 and 73, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the House of 11:20 o'clock A. M. delivered to the Governor for his approval.

MONAHAN, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bill No. 77.

EWING, Chairman.

Without objection, report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Gray and others: A Bill for an Act entitled: "An Act to amend Sections 309 and 437 of the Revised Codes of Montana, 1921, relating to the salary of the State Accountant."

By Leavitt: A Bill for an Act entitled: "An Act providing for the validity of sale of real property in probate proceedings."

By Worden and Watson: A Bill for an Act entitled: "An Act to repeal Chapter 120 of the Session Laws of the Twenty-third Legislative Assembly of the State of Montana, Regular Session, 1933."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Employment, having had under consideration applicants for employment, beg to submit the following appointment:

Stenographer Anna Kemp

MASTERSON, Chairman.

On motion of Masterson, report adopted.

Mr. Speaker: We, your Committee on Employment, beg to submit the following appointment for the special committee on investigation of the Liquor Control Board:

Stenographer Hazel Van Landingham
MASTERSON, Chairman.

On motion of Masterson, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 208, entitled: "An Act to repeal Section 11521, Revised Codes of Montana, 1921, relating to the definition and punishment of vagrants," respectfully report as follows: That House Bill No. 208 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 119, entitled: "An Act to amend Section 8344, Revised Codes of Montana, 1921, relating to priority of mechanics' lien over mortgage," respectfully report as follows: That House Bill No. 119 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 142, entitled: "An Act to amend Chapter 49 of the Extraordinary Session of the Twenty-third Legislative Assembly of the State of Montana, relating to exemption from attachment, providing that in certain actions no writ of attachment shall be issued and levied upon or against certain wages and earnings of the debtor or defendant for his personal services rendered within a certain time, and providing that such wages and earnings are exempt from attachment, and to repeal Section 9429 Revised Codes of Montana, 1921, as amended by Chapter 3, Session Laws of the Twenty-third Legislative Assembly, 1933," respectfully report as follows: That House Bill No. 142 be amended as follows: Amend the title to read as follows: "An Act to amend Section 1, Chapter 49, Laws of the Extraordinary Session of the Twenty-third Legislative Assembly of the State of Montana, relating to exemptions from attachment or execution, earnings of judgment debtor who is a married man or at the head of a family and repealing all Acts and parts of Acts in conflict herewith."

Amend Section 1, by striking all thereof and inserting in lieu, the following:

"Section 1. That Section 1, Chapter 49 Laws of the Extraordinary Session of the Twenty-third Legislative Assembly of the State of Montana be, and the same is hereby amended to read as follows:

Section 1. The earnings of a judgment debtor, who is married, and/or the head of a family, for his personal services to the extent of twenty (\$20.00) dollars per week, or eighty-five (\$85.00) dollars per month, are exempt from attachment or execution. The words, "head of a family," are to be construed as are used in Section 6969 of the Codes of Montana of 1921, as amended by Chapter 86, Session Laws of 1925."

Amend Section 2, by striking all of said Section 2 and inserting in lieu thereof, the following:

Section 2. All Acts and parts of Acts in conflict herewith, are hereby repealed, and as amended do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 160, entitled: "An Act to amend Section 12000 of the Revised Codes of the State of Montana of 1921, relating to procedure in cases where a juror is unable to perform his duties by reason of sickness," respectfully report as follows: That House Bill No. 160 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 164, entitled: "An Act to amend Section 11973 of the Revised Codes of the State of Montana of 1921, relating to separate trials of defendants jointly charged with a public offense," respectfully report as follows: That House Bill No. 164 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 163, entitled: "An Act to amend Section 12109 of the Revised Codes of Montana of 1921, relating to the time appeals may be taken to the Supreme Court in criminal cases, and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 163 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 162, entitled: "An Act relating to the preparation of transcripts on appeal in criminal cases, the filing thereof, authorizing the Appellate Court to extend time for filing transcripts, and repealing Section 12116, R. C. M. 1921, relating to duty of clerks upon appeal, and all other Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 162 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Employment, having had under consideration Senate Joint Resolution No. 4, entitled: "A Joint Resolution fixing the compensation of all employees of the Senate and House of Representatives of the Twenty-fourth Legislative Assembly of Montana of 1935," respectfully report as follows: That Senate Joint Resolution No. 4 be not concurred in.

MASTERSON, Chairman.

On motion of Masterson, report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 56, entitled: "An Act to amend Section 2819, Revised Codes, Montana, 1921, relating to the Industrial Accident Board and defining its membership," respectfully report as follows: That House Bill No. 56 do pass.

CHAPMAN, Chairman.

On motion of Chapman, report adopted.

Mr. Speaker: We, a majority of your Committee on Fish and Game, having had under consideration House Bill No. 154, entitled: "An Act to amend Section 3722, Revised Codes of Montana, 1921, as amended by Section

19, Chapter 59 of the Laws of the Twentieth Legislative Assembly of the State of Montana, relative to the protection and trapping of beaver," respectfully report as follows: That House Bill No. 154 do not pass.

NUTTING, Chairman of the
majority report,
MILLER of Big Horn,
SCOFIELD,
EWING,
LASBY,
CUSICK,
BALGORD,
HEAVLIN,
MINETTE,
MONAHAN.

Mr. Speaker: We, a minority of your Committee on Fish and Game having had under consideration House Bill No. 154, entitled: "An Act to amend Section 3722, Revised Codes of Montana, 1921, as amended by Section 19, Chapter 59 of the Laws of the Twentieth Legislative Assembly of the State of Montana, relative to the protection and trapping of beaver," respectfully report as follows: That House Bill No. 154 do pass.

JOFFRAY,
BURRIS,
LEMMER, Chairman.

It was moved by Burris, duly seconded, that the minority report be adopted.

On substitute motion, it was moved by Nutting, duly seconded and carried, that the majority report be adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker:
House of Representatives,
Helena.

I have the honor to advise you that I have this day approved the following House Measures:

House Bill No. 62—providing for alternate jurors in any civil or felony case the trial of which is likely to be a protracted one.

House Bill No. 73—providing for the compensation of certain officers and employees of the Legislative Assembly.

F. H. COONEY, Governor.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence.

S. B. No. 36, by Banks and Banking; S. B. No. 46, by Meyer and S. B. No. 53, by Shannon.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 111 was this day read third time and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in the Senate amendments:

Senate Committee on Judiciary amendments to H. B. 111:

Amend by striking out in line 6 of the title the word "THROUGH", and inserting in lieu thereof the word, "TO", and by inserting after the figures, "4711" the word "BOTH."

Amend by striking out in line 17, Section 1, page 1, the word "THROUGH" and inserting in lieu thereof the word "TO", and by placing a comma after the figures "4711" and by inserting after the figures "4711" the words, "both inclusive", followed by a comma.

Senate Committee of the Whole amendments to H. B. No. 111:

Amend in the title by striking out in line 6, original bill, the word "TO", and inserting in lieu thereof the word, "THROUGH" and by striking out the word "BOTH."

Amend in Section 1 by striking out in line 17, page 1, original bill, the word "TO", and inserting in lieu thereof the word "through", and by striking out the words, "both inclusive", and by striking out the comma after the figures "4711".

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 63, by Haight and Stevens, was this day read third time and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in the Senate amendment:

Senate Committee of the Whole amendment to H. B. No. 63:

Amend in Section, 1 printed bill, by adding after the word, "judgment", in line 5, "and the making of any finance charge or bonus in addition to interest shall constitute usuary and a misdemeanor."

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 7, by Ecton, Buttelman and Peterson of Gallatin was this day killed by an adverse report of the Committee on State Boards and Offices, report adopted, and bill is herewith returned to the House.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 107, by Judiciary Committee, was this day read third time and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in the Senate amendment:

Senate Committee on Judiciary amendment to House Bill No. 107:

Amend by inserting in line 3, page 1, the words, "A Bill for an Act entitled:"

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and

concurred in, title and history agreed to, and bills are herewith returned to the House:

H. B. No. 43, by Committee on Judiciary.

H. B. No. 96, by Toomey.

H. B. No. 108, by Committee on Judiciary.

H. B. No. 109, by Committee on Judiciary.

H. B. No. 110, by Committee on Judiciary.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that further messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate gave notice that he was about to sign and did sign in open session:

H. B. No. 62.

H. B. No. 73.

S. J. R. No. 2.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notice by Senator Cooper was this day received:

"I hereby give notice that I will on tomorrow or some subsequent day, move to amend Section No. 22 of the Joint Rules relating to the pairing of votes between members of the Senate, or House of Representatives."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Sparling: A Bill for an Act entitled: "An Act to authorize the County Commissioners and the County Clerks to execute on behalf of the county a release of property described in any seed grain contract executed under the State Drought Relief Act of 1918, Sections 4640 to 4679 inclusive, Revised Codes of Montana, 1921, in cases where the recovery of the amount due under such contract has been barred by the statute of limitation, and repealing all Acts in conflict herewith."

By Wass: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 52 of the Session Laws of Montana, Twenty-first Session, 1929, relating to an Act to establish a game preserve in a portion of Judith Basin County, for the protection of game, animals and birds, to be known as Judith River Game and Bird Preserve, and providing penalties for the killing, hunting, trapping and pursuing any game animals or birds in such preserve, or the carrying of firearms therein."

By Committee on State Boards and Offices: A Bill for an Act entitled: "An Act to amend Sections 1, 2 and 3 of Chapter 46, Session Laws of 1933: being an Act to regulate the practice of the profession of public accounting or auditing; providing for the qualifications, examination and admission of applicants and the issuance of certificates thereto; providing for an examining board and the powers thereof."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motions were this day made, duly seconded and carried:

By Kelsey: That S. B. No. 8 be re-referred to the Committee on Taxation.

By Groff: That Senate Bills Nos. 62 and 66 be re-referred to the Committee on Banks and Banking.

By Armstrong: That Senate Bill No. 27 be printed and placed on General File.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time and referred to committees:

S. B. No. 79, by Committee on Public Lands: A Bill for an Act entitled: "An Act to amend Section 10 of Chapter 100 of the Session Laws of the Twenty-second Legislative Assembly of Montana, relating to the exchange of lands and timber between the counties of the state and the United States." To Public Lands.

S. B. No. 80, by Meyer: A Bill for an Act entitled: "An Act to amend Chapter 12 of Laws of the Twenty-third Legislative Assembly to define nepotism and to prevent such practice in the State of Montana and prescribing the penalties thereof." To Judiciary.

S. B. No. 81, by Sparling, Eaton, et al: A Bill for an Act entitled: "An Act amending Sections 8883, 8885, 8886, 8887, 8889, 8890, 8893, 8894, and 8895 of the Revised Codes of Montana of 1921 defining juries and the qualifications of jurors; making women eligible for jury service; providing for certain exemptions from jury service; and repealing all Acts and parts of Acts in conflict herewith." To Judiciary.

S. B. No. 82, by Cooper: A Bill for an Act entitled: "An Act to amend Section 4880, Revised Codes of Montana, 1921, relative to the maximum number of Deputy Treasurers, Auditors and County Attorneys." To Counties and Towns.

S. J. R. No. 5, by Putnam: A resolution requesting the enactment by Congress of the United States of Senate Bill No. 266 now pending in the Senate of the United States, being a bill to provide for the erection of a public historical museum in the Custer Battlefield National Cemetery in Montana. To Federal Relations.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Employment: Reported the employment of the following for the positions named:

Bira Elder, Typist	Effective February 7
Mr. Joseph, Janitor	Effective February 11

Due to sickness of stenographers, the following temporary stenographers were employed:

Laura Jacobs	February 6 to 12th inclusive
Jean Neilson	February 6 to 12th inclusive

Report adopted.

Committee on Printing: Reported Senate Bills Nos. 54, 59, 62, 60, 66, 69, 73, 76, Sub. 22, Senate Sub. for H. B. No. 3, report adopted.

Committee on Enrolled Bills: Reported S. J. R. No. 2 correctly enrolled and duly verified, report adopted.

Committee on Public Lands: That S. B. No. 68 do pass, report adopted.

Committee on Fish and Game: That S. B. No. 56 do not pass.

That S. B. No. 70 do not pass.

Reports adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectively report and recommend as follows:

That House Bill No. 96 be concurred in.

That House Bill No. 107 be concurred in.

That House Bill No. 108 be concurred in.

That House Bill No. 109 be concurred in.

That House Bill No. 110 be concurred in.

That House Bill No. 111 be amended in the title by striking out in line 6 of the original bill the word "TO" and inserting in lieu thereof the word "THROUGH" and by striking out the word, "BOTH";

That House Bill No. 111 be amended in Section 1 by striking out in line 17, page 1, of the original bill the word "to", and inserting in lieu thereof the word "through" and by striking out the words "both inclusive", and by striking out the comma after the figures, "4711";

And as so amended, recommend said House Bill No. 111 be concurred in.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day introduced, read first and second time, and referred to committee:

S. B. No. 84, by Committee on Public Lands: A Bill for an Act entitled: "An Act to amend Section 65 of Chapter 60 of the Laws of the State of Montana of 1927, as amended by Chapter 28 of the Laws of the State of Montana of 1929, relating to mineral reservations in state lands, it being the purpose of this amendment to restore the said Section 65 to its original intent." To Public Lands.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Engrossed Bills: Reported S. B. Nos. 36, 46 and 53 correctly engrossed, report adopted.

Committee on State Boards and Offices: That H. B. No. 7 be not concurred in, report adopted.

Committee on Banks and Banking: That S. B. No. 75 do pass, report adopted.

Committee on Counties and Towns: That S. B. No. 67 do pass, report adopted.

Committee on State Boards and Offices, having had under consideration the nominations made by the Governor January 9, 1935, of Mr. Wallace Brennan of Missoula County and Mr. Emmet J. Riley of Lewis and Clark County, to be members of the State Board of Education for the term ending February 1, 1938; and also having had under consideration the nominations made by the Governor February 4, 1935, of Mr. W. M. Johnston of Billings, Yellowstone County, and Mr. Carl C. Borton of Glasgow, Valley County, to be members of the State Board of Education for the term ending February 1, 1939, respectfully recommend that the said nominees for the positions and terms named be confirmed, report adopted.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced in the Senate, read first and second time, and referred to committees:

H. B. No. 34, to Taxation.
H. B. No. 64, to Banks and Banking.
H. B. No. 83, to Insurance.
H. B. No. 91, to Labor and Capital.
H. B. No. 99, to Judiciary.
H. B. No. 127, to Judiciary.
H. J. M. No. 6, to Water Conservation and Flood Control.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day introduced, read first and second time and referred to committee:

S. B. No. 83, by Putnam: A Bill for an Act entitled: "An Act amending Chapter One Hundred and Two of the 1933 Session Laws of the State of Montana and defining the offense of kidnaping and prohibiting the payment of a ransom to kidnapers and relating to the trial of same and the punishment therefor and to repeal Sections 10970, 10971 and 10972 of the Revised Codes of Montana of 1921 in relation to kidnaping." To Judiciary.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That House Bill No. 43 be concurred in.

That House Bill No. 63 be amended in Section 1 of the printed bill by adding after the word "judgment" in line 5, "and the making of any finance charge or bonus in addition to interest shall constitute usury and a misdemeanor";

And as so amended, recommend said House Bill No. 63 be concurred in.

That House Bill No. 94 be concurred in.

Report adopted.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND
READING OF THE SAME

The following were introduced, read first and second time and referred to committees; all appropriation measures having been read at length:

Senate Bill No. 36, introduced by Committee on Banks and Banking: A Bill for an Act entitled: "An Act to increase labor and promote industry by authorizing building and loan associations, subject to the regulations of the Federal Housing Administrator, to make loans, charges, investments, advances of credit, purchases, sales, contracts for insurance of mortgages and stockholders' accounts and other contracts, as are now, or may hereafter be authorized or provided for in Titles I, II or IV of an Act of Congress cited as "National Housing Act" approved by the President on the 27th day of June, A. D. 1934, as well as by any amendment thereof duly passed and approved; exempting such loans, charges, investments, advances of credit, purchases, sales, contracts for insurance of mortgages and stockholders' accounts and other contracts from the operation and application of general statutes of this state in conflict with said Act and regulation; declaring an emergency." Referred to Committee on Banks and Banking.

Senate Bill No. 46, introduced by Meyer: A Bill for an Act entitled: "An Act regulating the hours of labor of drivers and attendants of motor busses in the State of Montana; defining the term 'Attendant' and fixing penalties for the violation of the provisions of this Act." Referred to Committee on Labor.

Senate Bill No. 53, introduced by Shannon: A Bill for an Act entitled: "An Act to amend Section Four (4) of Chapter Six (6) of the Session Acts of Montana, Twenty-first Session 1929, relating to the production, use, sale, dispensing, and possession of marihuana, or any derivatives, and making it a felony for the violation of the provisions hereof, and repealing Acts and parts of Acts in conflict herewith." Referred to Committee on Public Morals, Charities and Reforms.

House Bill No. 219, introduced by Watson and Heavlin by request: A Bill for an Act entitled: "An Act appropriating money for the payment of the claim of Justin D. Lovely as indemnity for loss of time suffered by him as the result of tuberculosis contracted by him in the service of the State of Montana while an employee at the State Tuberculosis Sanitarium, at Galen, Montana, and providing for the method of paying the same; and for appropriating money for the payment of the claim of Justin D. Lovely for money due him for services rendered to the State of Montana as stockman and farmer at the State Tuberculosis Sanitarium, at Galen, Montana, and providing for the method of paying the same." Referred to Committee on Appropriations.

House Bill No. 220, introduced by Ritch: A Bill for an Act entitled: "An Act relating to the validity of certain conveyances or transfers of real or personal property to counties, cities, towns or municipal corporations, the consideration therefor, and limiting the time within which actions may be brought concerning the same." Referred to Committee on Affairs of Cities.

House Bill No. 221, introduced by Harlen: A Bill for an Act entitled: "An Act to permit the payment of delinquent taxes, assessments, penalties and interest on real estate and certain personal property by installment payments, and repealing all Acts and parts of Acts in conflict therewith." Referred to Committee on Revenue and Taxation.

House Bill No. 222, introduced by Ewing: A Bill for an Act entitled: "An Act relative to the employment of teachers." Referred to Committee on Education.

House Bill No. 223, introduced by Ewing: A Bill for an Act entitled: "An Act to amend Section 3683, Revised Codes of Montana, as amended, relative to the classes of fish and game licenses and to amend Section 3685, Revised Codes of Montana, 1921, as amended, relative to fees and powers under licenses." Referred to Committee on Fish and Game.

House Bill No. 224, introduced by Ritch, Groene of Fergus, Haight and Egan: A Bill for an Act entitled: "An Act relating to sales and conveyances of real property by the Board of County Commissioners; defining "Minerals" and "Real Property" and permitting the board when making sales and conveyances of real property to reserve a per centum of the minerals therein or taken therefrom; providing that the person mining, producing, extracting or otherwise taking any minerals from real property in which a per centum of the minerals have been reserved shall pay to the owner or owners of the mineral reservations the fair market value of the reserved per centum of the minerals mined, produced, extracted or otherwise taken from such real property, which obligation shall run with the unreserved minerals; permitting the sale and conveyance of such mineral reservations or parts thereof; providing for the disposition of the proceeds from such mineral reservations or the sale thereof, and validating and confirming reservations, sales, conveyances and all contracts and agreements in connection therewith, which have been heretofore made." Referred to Committee on Judiciary.

House Bill No. 225, introduced by Egan: A Bill for an Act entitled: "An Act relating to hearings upon claims for compensation." Referred to Committee on Workmen's Compensation.

House Bill No. 226, introduced by Spiegel, Chamberlain, Holding, Ormsbee, O'Byrne, Ryan: A Bill for an Act entitled: "An Act to amend Sections 2816, 2841, and 2911 of the Revised Codes of Montana of 1921, and to amend Section 2843 of the Revised Codes of 1921, as amended by Chapter 112 of the Session Laws of the Twenty-third Legislative Assembly of 1933; and to amend Section 2898 of the Revised Codes of Montana of 1921, as amended by Chapter 121 of the Session Laws of the Nineteenth Legislative Assembly of 1925; and to amend Section 2981 of the Revised Codes of Montana of 1921, as amended by Chapter 177 of the Session Laws of the Twenty-first Legislative Assembly of 1929; and to repeal Sections 2978, 2979, 2980, 2982, 2983, 2984, 2985, 2986, 2987, 2988 and 2989 of the Revised Codes of Montana of 1921; all relating to workmen's compensation; and to repeal all Acts and parts of Acts in conflict herewith, with certain reservations." Referred to Committee on Workmen's Compensation.

House Bill No. 227, introduced by Mulholland: A Bill for an Act entitled: "An Act prohibiting the sale of commodities in retail stores and wholesale warehouses on Sundays and holidays and between the hours of 6 o'clock P. M. and 9 o'clock A. M. of week days in cities and towns in this state containing more than twenty-five hundred inhabitants; defining terms used therein; stating exemptions from the provisions of the Act, and providing penalties for violations thereof." Referred to Committee on Labor.

House Joint Memorial No. 8, introduced by Masterson: "A Memorial memorializing Congress that they take appropriate action to prevent the return to the United States of former residents of the United States who voted in the Saar plebiscites." Referred to Committee on Federal Relations.

THIRD READING OF SENATE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 7, introduced by Committee on Banks and Banking, was concurred in by the following:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Coultas, Cusick, Doe, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harwood, Haugan, Heavlin, Hedden, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 94.

Noes: Stimatz.

Absent and not voting: Conner, Ecton, Harlen, Holding, Manning, O'Connor, Ritch. Total 7.

The Speaker: Ninety-four have voted "aye," one has voted "no"; Senate Bill No. 7 has been concurred in by the House.

Senate Bill No. 23, introduced by the Committee on Banks and Banking, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Green (Dawson), Groene (Fergus), Hall, Harlen, Harwood, Haugan, Heavlin, Hedden, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 95.

Noes: None.

Absent and not voting: Gray, Haight, Hamilton, Holding, Manning, O'Connor, Stromnes. Total 7.

The Speaker: Ninety-five have voted "aye," none have voted "no"; Senate Bill No. 23 has been concurred in by the House.

Senate Bill No. 20, introduced by Wass by request, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelley, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lovell, McCausland, McLaughlin, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Scofield, Sexton, Sherman, Southmayd, Stevens, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 91.

Noes: Ryan, Smith, Spiegel, Stimatz. Total 4.

Absent and not voting: Heavlin, Lott, Manning, Metlen, O'Connor, Stromnes. Total 6.

The following passed his vote: Bertsche.

The Speaker: Ninety-one have voted "aye," four have voted "no"; Senate Bill No. 20 has been concurred in by the House.

Senate Bill No. 35, introduced by the Judiciary Committee, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Hinnerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 98.

Noes: Stromnes.

Absent and not voting: Holding, Manning, O'Connor. Total 3.

The Speaker: Ninety-eight have voted "aye," one has voted "no"; Senate Bill No. 35 has been concurred in by the House.

Senate Bill No. 37, introduced by Pauline and Baker, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmons, Ewing, Foor, Fowler, Goodwin, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Liggett, Logan, Lott, Lovell, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Connor, Ormsbee, Padbury, Parker, Peterson (Gallatin), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York. Total 86.

Noes: Ballard, Bertsche, Boone, Brennan, Emmett, Gordon, Hinnerman, Lemmer, Lippard, O'Brien, Petersen (Sheridan), Peterson (Valley), Stimatz, Mr. Speaker. Total 14.

Absent and not voting: Holding, Manning. Total 2.

The Speaker: Eighty-six have voted "aye," 14 have voted "no"; Senate Bill No. 37 has been concurred in by the House.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following correctly enrolled: House Bill No. 94.

MONAHAN, Chairman.

Without objection, report adopted.

I have read House Bill No. 94, as reported from the Enrolling Committee, and certify same to be correct.

JOE METLEN.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed:

House Bills Nos. 87, 80, 136, 149, 178, 177, 179.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following considered correctly engrossed: Substitute House Bill No. 44.

EWING, Chairman.

Without objection, report adopted.

The Speaker announced he was about to sign House Bill No. 94, whereupon the clerk read the title of the same and the Speaker did sign in the presence of the House.

MOTIONS AND RESOLUTIONS

It was moved by Mulholland, duly seconded and carried, that the House pass consideration of House Bill No. 92, on Third Reading, for the day.

It was moved by Byrne, duly seconded, and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By White of Judith Basin: Directing the Governor to proclaim October 11th of each year "General Pulaski's Memorial Day" for the observance and commemoration of the death of Brigadier General Casimer Pulaski."

By Cusick: A Bill for an Act entitled: "An Act to amend Section 3 of Chapter 72 of the Session Acts of the Twenty-third Legislative Assembly of Montana of 1933 relating to the taking of fish in Lake and Flat-head Counties."

By Committee on Agriculture, Chapman, Chairman: A Bill for an Act entitled: "An Act to amend Section 4230 of the Revised Codes of Montana, 1921, relating to the sale of hay."

By Committee on Agriculture, Chapman, Chairman: A Bill for an Act entitled: "An Act providing for the enforcement of the Laws governing the grading of hay in the State of Montana; providing for the inspection thereof and conferring certain powers and duties upon the Commissioner of Agriculture, Labor and Industry, and repealing Section 4231 of the Session Laws of 1931, and all other Acts conflicting herewith."

By Ewing: A Bill for an Act entitled: "An Act regulating the operation of railroads within the State of Montana; providing for inspection of tracks, limiting the amount of track that can be inspected in one day by employees; and providing penalties for the violation of this Act."

By Burris and Holding: A Bill for an Act entitled: "An Act to amend Section 4464 of the Revised Codes of Montana, of 1921, relating to the Compensation of members of Boards of County Commissioners, and stating maximum number of days commissioners may be in special or regular session in any one month."

By Ballard: A Bill for an Act entitled: "An Act regulating the wearing apparel of fan dancers performing within the State of Montana and prohibiting such dancers from appearing in public drinking establishments and providing certain provisions therefore."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, beg leave to report the following correctly printed: House Bill No. 189 and Substitute House Bill No. 6.

McCAUSLAND, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration Senate Bill No. 65, entitled: "An emergency Act relating to grain warehouse storage receipts; authorizing the delivery of grain by warehousemen to the Government of the United States under the Federal Seed Stock Act without surrender of the warehouse receipt, and repealing all Acts in conflict herewith," respectfully report as follows: That Senate Bill No. 65 be amended as follows: By striking out in line 5, page 2, the words "be it resolved" and insert in lieu thereof the words "BE IT ENACTED."

In Senate amendment to Section 3, in the last line thereof, by striking out the word "Feed" and inserting in lieu thereof the word "Seed", and as amended that House concur in Senate Bill No. 65.

CHAPMAN, Chairman.

On motion of Chapman, report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 204, entitled: "An Act to amend Sections 12102 and 12103 Revised Codes of Montana, 1921, relating to punishment of death, how inflicted, providing for the use of lethal gas," respectfully report as follows: That House Bill No. 204 do not pass and that Substitute House Bill No. 204 do pass.

MONAHAN, Chairman.

On motion of Stevens, report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 33, entitled: "An Act to amend Section 2899, Revised Codes of Montana, 1921, relating to the time for filing claims in case of personal injury to or death of employees," respectfully report as follows: That House Bill No. 33 do not pass.

SPIEGEL, Chairman.

It was moved by Spiegel, duly seconded, that the report be adopted.

On substitute motion, it was moved by Gray, duly seconded and carried, that House Bill No. 33 be re-referred to the Committee on Judiciary.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 32, entitled: "An Act to amend Section 2933, Revised Codes of Montana, 1921, as amended by Section 7 of Chapter 177, Session Laws of Montana, 1921, relating to notice of claims for compensation for injuries, other than death, to employee," respectfully report as follows: That House Bill No. 32 do not pass.

SPIEGEL, Chairman.

On motion of Spiegel, report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration Senate Bill No. 42, entitled: "An Act to

amend Section 2899 of the Revised Codes of Montana, 1921, relating to workmen's compensation," respectfully report as follows: That Senate Bill No. 42 be concurred in.

SPIEGEL, Chairman.

On motion of Spiegel, report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 135, entitled: "An Act creating a fund to be known as the volunteer firemen's compensation fund; declaring such fund to be a trust fund and providing for disposition of interest thereon; providing for the payment from said fund of compensation for disabilities received by members of regularly organized fire companies in unincorporated towns and cities; providing the amount of compensation payable; providing for the filing of claims for disability; providing the administration of such fund by the Industrial Accident Board of the State of Montana; amending Section 2761, Revised Codes of Montana, 1921, to provide for transfer of unused funds of state fire marshall fund into volunteer firemen's compensation fund; providing penalties for filing of false claims; and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 135 be amended as follows: On page (3) strike out all of Section 11, and insert the following amendment; "The State Auditor and Ex-officio Commissioner of Insurance of the State of Montana shall annually cause to be deposited in the 'volunteer firemen's compensation fund', herein created, such sum as shall be equivalent to 2 per cent of premium taxes collected from fire insurance companies pursuant to Section 6112, R. C. M., 1921, as shall remain after the amounts provided for by Section 5127, R. C. M., 1921, as amended by Chapter 127, Laws of Montana, 1933, shall have been first deducted," and as amended, do pass.

SPIEGEL, Chairman.

On motion of Spiegel, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that Senate Bill No. 65 be placed at the head of the list on General Orders.

It was moved by Metlen, duly seconded and carried, that Senate Bill No. 1 be taken from the Committee on State Boards and Officers and placed on General Orders.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF THE SAME

The following were introduced, read first and second time and referred to committees:

Substitute House Bill No. 204, introduced by Stevens and McLaughlin: A Bill for an Act entitled: "An Act to amend Sections 12102 and 12103 Revised Codes of Montana, 1921, relating to punishment of death, how inflicted, providing for the use of lethal gas." Referred to Committee on Printing.

House Bill No. 228, introduced by Ormsbee: A Bill for an Act entitled: "An Act to amend Sections 1135, 1136, 1137, 1139, and 1140 of the Revised Codes of Montana of 1921 relating to public schools, the compulsory attendance of children, the employment of children during school sessions, the appointment powers and duties of truant officers, the schooling and relief of pauper children, the prosecution of truants, parents, guardians and employers for violation of the provisions of said section and providing penalties therefor." Referred to Committee on Education.

House Bill No. 229, introduced by Fowler: A Bill for an Act entitled: "An Act authorizing the court to propose or declare rates, fares, charges,

classifications, joint rates, regulations, practices or services which it deems reasonable as a guide to the Public Service Commission in all cases brought to set aside rates or charges fixed by the Public Service Commission." Referred to Committee on Public Utilities and State Commissions.

House Bill No. 230, introduced by Fowler: A Bill for an Act entitled: "An Act providing for the payments of expenses incurred in public utility investigations." Referred to Committee on Public Utilities and State Commissions.

House Bill No. 231, introduced by Fowler: A Bill for an Act entitled: "An Act authorizing the Public Service Commission to designate any one or more persons, whether in the regular employ of the commission or not, to make an investigation into the reasonableness of the rates, charges and schedules of any public utility and to make an appraisal of the property of any public utility." Referred to Committee on Public Utilities and State Commissions.

House Bill No. 232, introduced by Committee on Dairying: A Bill for an Act entitled: "An Act providing for standards for the grading of creamery butter; and to amend Section 59 of Chapter 39 of the Session Laws of 1933 relating to the regulations governing the purchase of milk and cream and providing for standards for the grading thereof; providing for grade purchase differentials; providing for the enforcement thereof and penalties for the violation thereof; and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Dairying.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, history and title agreed to, was disposed of as follows:

Substitute House Bill No. 44, introduced by Judiciary Committee was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Connors, Coultas, Doe, Ecton, Egan, Emmons, Foor, Fowler, Goodwin, Gray, Groene (Fergus), Haight, Hall, Harlen, Harwood, Haugan, Heavlin, Hedden, Johnson, Kelly, Kruse, Lasby, Leary, Leavitt, Lemmer, Logan, Lott, Lovell, McCausland, Masterson, Metlen, Minette, Moss, Mulholland, Mundy, O'Byrne, O'Connor, Padbury, Parker, Peterson (Gallatin), Quigley, Rolph, Scofield, Sherman, Smith, Spiegel, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden. Total 66.

Noes: Chapman, Conner, Emmett, Ewing, Gordon, Green (Dawson), Hamilton, Holding, Hinerman, Kathan, Kuhl, Liggett, Lippard, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Neary, Nelson, Nutting, O'Brien, Ormsbee, Petersen (Sheridan), Peterson (Valley), Ritch, Ryan, Sexton, Stevens, Stimatz, York, Mr. Speaker. Total 31.

Absent and not voting: Cusick, Joffray, McLaughlin, Manning, Southmayd. Total 5.

The Speaker: Sixty-six have voted "aye", thirty-one have voted "no"; Substitute House Bill No. 44 has passed the House.

House Bill No. 77, introduced by Ecton, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Hall, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Johnson, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCaus-

land, McLaughlin, Masterson, Metlen, Miller (Big Horn), Minette, Monahan, Moss, Mundy, Nelson, Nutting, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Ritch, Rolph, Scofield, Sexton, Sherman, Smith, Southmayd, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, Mr. Speaker. Total 80.

Noes: Chamberlain, Chapman, Haight, Hinerman, Kathan, Miller (Roosevelt), Mulholland, Neary, O'Brien, O'Byrne, Ormsbee, Peterson (Valley), Ryan, Spiegel, Stevens, Stimatz, York. Total 17.

Absent and not voting: Foor, Hamilton, Joffray, Manning, Mitchell. Total 5.

The Speaker: Eighty have voted "aye", seventeen have voted "no"; House Bill No. 77 has passed the House.

House Bill No. 87, introduced by Committee on Public Health and Sanitary Affairs, by request, was passed by the following vote:

Ayes: Acher, Ahlgreen, Balgord, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Harlen, Harwood, Haugan, Heavlin, Hedden, Joffray, Johnson, Kelly, Kruse, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson, (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Sexton, Sherman, Smith, Southmayd, Stevens, Stimatz, Stromnes, Toomey, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 86.

Noes: Anderson, Ballard, Chamberlain, Hall, Hamilton, Hinerman, Kathan, Kuhl, Leary, O'Byrne, Scofield, Spiegel, Watson. Total 13.

Absent and not voting: Holding, Manning, Whaley. Total 3.

Mr. Speaker: Eighty-six have voted "aye", thirteen have voted "no"; House Bill No. 87 has passed the House.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion duly seconded and carried, requested the return from the House of House Bill No. 7 for further consideration, and you are hereby requested to return said House Bill No. 7 to the Senate.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that House Bill No. 7 be returned to the Senate.

It was moved by Foor, duly seconded and carried, that consideration of House Bill No. 36 be passed for the day.

THIRD READING OF HOUSE BILLS

The following were read three several times, history and title agreed to, and disposed of as follows:

House Bill No. 80, introduced by Foor, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 94.

Noes: Ryan, Stimatz, Stromnes. Total 3.

Absent and not voting: Groene (Fergus), Manning, Minette, Nelson, Ormsbee. Total 5.

The Speaker: Ninety-four have voted "aye", three have voted "no"; House Bill No. 80 has passed the House.

House Bill No. 177, introduced by Committee on Fairs and Expositions, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 94.

Noes: Stimatz.

Absent and not voting: Haight, Manning, Minette, Parker, Ritch, Rolph. Total Six.

The following passed their vote: Burris.

The Speaker: Ninety-four have voted "aye", one has voted "no"; House Bill No. 177 has passed the House.

House Bill No. 179, introduced by Committee on Fairs and Expositions, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Hall, Hamilton, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 90.

Noes: Stimatz.

Absent and not voting: Brennan, Groene (Fergus), Haight, Harlen, Manning, Monahan, Ritch, Rolph, Stevens. Total 9.

The following passed their vote: Burris, Busch. Total 2.

The Speaker: Ninety have voted "aye," one has voted "no"; House Bill No. 179 has passed the House.

House Bill No. 136, introduced by Groene of Fergus, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stevens, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 93.

Noes: Stimatz, Stromnes. Total 2.

Absent and not voting: Acher, Haight, Manning, Neary, Ormsbee, Ritch, Smith. Total 7.

The Speaker: Ninety-three have voted "aye," two have voted "no"; House Bill No. 136 has passed the House.

House Bill No. 149, introduced by Stimatz, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Groene (Fergus), Hall, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Lippard, Lott, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Monahan, Moss, Mulholland, Mundy, Nelson, Nutting, O'Brien, O'Byrne, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Stevens, Stimatz, Toomey, Whaley, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 85.

Noes: Green (Dawson), Haight, Liggett, Lovell, Neary, O'Brien, O'Connor, Ormsbee, Southmayd, Stromnes, Watson, Worden. Total 12.

Absent and not voting: Hamilton, Logan, Manning, Rolph. Total 4.

The following passed his vote: Mitchell.

The Speaker: Eighty-five have voted "aye," twelve have voted "no"; House Bill No. 149 has passed the House.

House Bill No. 178, introduced by Committee on Fairs and Expositions, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connor, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sexton, Sherman, Smith,

Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 96.

Noes: None.

Absent and not voting: Kuhl, Manning, Metlen, Nelson, Nutting, Rolph. Total 6.

The Speaker: Ninety-six have voted "aye," none have voted "no"; House Bill No. 178 has passed the House.

Senate amendments to House Bill No. 50, introduced by Cusick, were concurred in by the following vote:

Ayes: Acher, Ahlgreen, Bertsche, Brennan, Busch, Chamberlain, Chapman, Cusick, Egan, Emmons, Ewing, Fowler, Gray, Groene (Fergus), Hamilton, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Lasby, Leary, Leavitt, Liggett, Logan, Lott, McCausland, McLaughlin, Masterson, Metlen, Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Mundy, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Peterson (Valley), Ritch, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), Worden, York. Total 65.

Noes: Anderson, Balgord, Ballard, Boone, Burris, Buttelman, Byrne, Conner, Connors, Coultas, Doe, Ecton, Emmett, Foor, Goodwin, Gordon, Green (Dawson), Haight, Hall, Harlen, Kuhl, Lemmer, Lippard, Lovell, Miller (Roosevelt), Minette, Neary, Petersen (Sheridan), Peterson (Galatin), Quigley, Southmayd, Stevens, Stromnes, White (Hill), Mr. Speaker. Total 35.

Absent and not voting: Manning, Rolph. Total 2.

The Speaker: Sixty-five have voted "aye," thirty-five have voted "no"; Senate amendments to House Bill No. 50 have been concurred in by the House.

House Joint Memorial No. 4, introduced by Ahlgreen and Lasby, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Galatin), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 97.

Noes: None.

Absent and not voting: Acher, Harwood, Lovell, Manning, Rolph. Total 5.

The Speaker: Ninety-seven have voted "aye," none have voted "no"; House Joint Memorial No. 4 has passed the House.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

The Speaker,
House of Representatives,
Helena.

I have the honor to advise you that I have today approved House Bill No. 94, an Act to authorize the erection or reconstruction by the State Board of Education of buildings for the State Normal College.

F. H. COONEY, Governor.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND
READING OF THE SAME

The following was introduced, read first and second time and referred to Committee on Revenue and Taxation:

House Bill No. 233, introduced by Fowler, entitled: A Bill for an Act entitled: "An Act to amend Sections 5 and 7 of Chapter 155, Session Laws of the Twenty-third Legislative Assembly, relating to license fees for opening, establishing and operating or maintaining one or more stores."

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

Moss in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bills Nos. 65, 15, recommend the following:

That Senate Bill No. 65 be concurred in.

That Senate Bill No. 15 be amended as follows: Amend by striking out Section 3 in its entirety; and that the same be concurred in as amended.

MOSS, Chairman.

On motion of Moss, report adopted.

It was moved by Byrne, duly seconded and carried, that the House adjourn until 10:30 o'clock A. M., Friday, February 8th, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

THIRTY-THIRD DAY

House of Representatives,
Helena, Montana, February 8, 1935.

House convened, pursuant to adjournment, at 10:30 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by Chaplain.

On roll call, all members present, except the following: Kuhl, Leary.

Mr Speaker: We, your Committee on Journal, having examined the Journal for the thirty-second legislative day, find the same to be correct.

QUIGLEY, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bill No. 94, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day, at the hour of 2:05 o'clock P. M. delivered to the Governor for his approval.

MONAHAN, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing, beg leave to report the following correctly printed: House Bills Nos. 137, 39. Substitute House Bill No. 11.

McCAUSLAND, Chairman.

Without objection, report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Committee on Education, by request: A Bill for an Act entitled: "An Act establishing the county unit plan for the organization, administration and support of the public schools of the state, creating county school districts and subdivisions thereof, defining the organization, administration and functions of such county school districts and subdivisions, abolishing certain school districts heretofore existing, disposing of their property and making provisions for the payment of their indebtedness, creating County Boards of Education for the administration of county school districts and Boards of Trustees for certain independent subdistricts, specifying their powers and duties, and providing for their organization and for the reorganization of existing boards to conform thereto, designating certain school administrative and supervisory officers and specifying their qualifications and manner of appointment, establishing a uniform system of school elections, requiring the preparation and adoption annually of school budgets, authorizing the making of tax levies for the support of the schools of the several counties, and repealing certain Sections of the Revised Codes of Montana, of 1921, and certain Acts of the Legislative Assembly of the state, and all other Acts and parts of Acts in conflict herewith and providing for county support of public schools, and for tax levies to provide the necessary revenue therefor, and for the transportation of pupils."

By Leavitt: A Bill for an Act entitled: "An Act to amend Sections 9397 and 9298, Revised Codes of Montana, 1921, relative to when new trials may be granted and on what papers motions can be made."

By Lasby: A Bill for an Act entitled: "An Act to amend Section 4465, Revised Codes of Montana, 1921, as amended by Chapter 95, Acts of 18th Legislative Assembly and by Chapter 54, Acts of 20th Legislative Assembly and by Chapters 38 and 142, Acts of 21st Legislative Assembly and by Chapter 100, Acts of 22nd Legislative Assembly and by Chapter 74, Acts of 23rd Legislative Assembly, relating to the general and permanent powers of Boards of County Commissioners."

By Ahlgreen, Chamberlain and Holding: A Bill for an Act entitled: "An Act to amend Sections 23 and 25 of Chapter 60 of the Session Laws of the State of Montana of 1927, as amended by Chapter 42 of the Session Laws of the State of Montana of 1933, relating to the leasing of state lands, determination of rental, term of lease, value for agricultural and grazing purposes and town, city and other lots."

By Nutting: A Bill for an Act entitled: "An Act defining the title conveyed by tax deed and amending Section 9 of Chapter 176 passed by the Twenty-third Legislative Assembly of the State of Montana at its Regular Session in the year 1933, and repealing all Acts and parts of Acts in conflict therewith."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 155, entitled: "An Act providing that upon conviction for crime, in addition to the punishment prescribed, and as a part of the sentence, the court may impose upon the defendant the duty to pay the whole or any part of the disbursements of the prosecution, limiting amount in courts not of records, and providing for its collection by execution or enforcement in the same manner as the sentence," respectfully report as follows: That House Bill No. 155 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 159, entitled: "An Act to amend Section 11874 of the Revised Codes of the State of Montana, of 1921, relating to departures from the form or mode prescribed by the Penal Code of the State of Montana in respect to pleadings and proceedings," respectfully report as follows: That House Bill No. 159 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 166, entitled: "An Act to amend Section 12011 of the Revised Codes of the State of Montana of 1921, being a part of Chapter 26 of Part II, of the Criminal Code of the State of Montana relating to conduct of jury after submission of the case and relatig to what papers the jury may take with them upon retiring for deliberation upon their verdict," respectfully report as follows: That House Bill No. 166 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 167, entitled: "An Act to amend Section 11971 of the Revised Codes of Montana of 1921, relating to presumption of innocence and defining the words 'Reasonable Doubt', and providing that no further instructions need be given a jury in a criminal action upon the subjects herein mentioned," respectfully report as follows: That House Bill No. 167 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 168, entitled: "An Act to amend Section 11847 of the Revised Codes of Montana of 1921, which provides that an indictment or information must charge but one offense except where it is committed by different means, and providing that other offenses, if connected in their commission or of the same class, may be charged in separate counts, and authorizing consolidation of indictments or information, and providing for the procedure in the trial if several counts or offenses are charged, and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 168 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 175, entitled: "An Act authorizing the extension of the term of existence of any corporation organized under any of the Laws of the State of Montana, providing the procedure therefor, and providing for the filing of certificates of such proceedings with the proper officers," respectfully report as follows: That House Bill No. 175 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

The Chairman of the Committee on State Boards and Officers has this day returned to the House Senate Bill No. 1, at the request of the House, without amendments or recommendation.

BURRIS.

On motion of Burris, report adopted.

Mr. Speaker: We, your Committee on Fairs and Expositions, having had under consideration Senate Bill No. 16, entitled: "An Act to abolish

the Montana State Fair; authorizing the transfer of state fair property to the County of Lewis and Clark; reserving certain property to the State Highway Commission and permitting use of certain grounds by the State Fish and Game Commission for the purpose of maintaining a game farm, and repealing Sections 1580 to 1582 inclusive, and Sections 3640 to 3644 inclusive, Revised Codes of 1921, and all other Acts and parts of Acts in conflict herewith," respectfully report as follows: That Senate Bill No. 16 be concurred in.

BERTSCHE, Chairman.

On motion of Bertsche, report adopted.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following correctly enrolled: House Bill No. 50 and House Resolution No. 5.

MONAHAN, Chairman.

Without objection, report adopted

I, have read House Bill No. 50, as reported from the Enrolling Committee certify same to be correct.

CUSICK.

I, have read House Resolution No. 5, as reported from the Enrolling Committee, and certify same to be correct.

O'BYRNE.

The Speaker announced he was about to sign House Bill No. 50, whereupon the clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Resolution No. 5, whereupon the clerk read the title of the same and the Speaker did sign in the presence of the House.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

It was moved by Byrne, dully seconded and carried, that the messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Printing: Reported S. B. No. 68 correctly printed, report adopted.

Sanitary Affairs: That H. B. No. 85 be amended by adding a new Section to be known and designated as Section 10 to read as follows:

"Section 10. Nothing in this Act shall prohibit service in case of an emergency nor services by persons authorized under the Laws of this state to practice hairdressing or cosmetology lawfully engaged in the performance of the usual and ordinary duties of their vocation," and as so amended, recommend said H. B. No. 85 be concurred in, report adopted

Judiciary: That H. B. No. 100 be amended by striking out in line 23, Section 1, page 1, the words and figure, "two per centum (2%)" and inserting in lieu thereof the words and figures, "four per centum (4%)";

By striking out in lines 29 and 30, Section 1, page 1, the words and figures, "two per centum (2%)", and inserting in lieu thereof the words and figure, "four per centum (4%)", and as so amended, recommend said H. B. No. 100 be concurred in, report adopted.

Judiciary: That H. B. No. 103, be amended by striking out in line 24, Section 1, page 1, the words and figure, "two per centum (2%)," and inserting in lieu thereof the words and figures, "four per centum (4%)";

And by striking out in line 29, Section 1, page 1, the words and figure, "two per centum (2%)", and inserting in lieu thereof the words and figure, "four per centum (4%)", and as so amended, recommend H. B. No. 103 be concurred in, report adopted.

Judiciary: That H. B. No. 112 be concurred in, report adopted.

Water Conservation and Flood Control: That H. J. M. No. 6 be concurred in, report adopted.

Public Lands: That S. B. No. 84 do pass, report adopted.

Insurance: That H. B. No. 83 be concurred in, report adopted.

Taxation: That S. B. No. 55 be amended as per the attached, and as so amended, be recommended for passage, report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Senate Committee on Taxation amendments to S. B. No. 55:

Amend title by striking out in line 8 after the figures "1936" the remainder of the title and substitute in lieu thereof, "and relating to the time of taking tax deed."

Amend the final paragraph of the preamble on page 3, lines 15 and 16 by striking out the words, "now therefore", by striking out the comma after the word, "Montana", and adding a semi-colon and then by adding thereafter a new paragraph reading as follows:

"Whereas, the State of Montana possess the right under its police power to declare a state of emergency to exist, it is believed and the Legislative Assembly of Montana hereby declares that conditions existing as hereinbefore set forth, have created an emergency of such a nature that justifies and validates changes in legislation providing for the temporary method and conditions upon which penalties and interest may be levied and collected upon delinquent taxes and equitable relief in connection herewith conferred upon the County and City Treasurers of the State of Montana now therefore";

Amend Section 3, page 4, line 9, by striking out the comma after the figures "1936" and adding a period in lieu thereof and by striking out thereafter the words in lines 10 and 11 and up to the word, "providing" in line 12.

Amend page 4, Section 2, by adding in line 7, after the word, "ACT", the following: "It shall be the duty of the County Treasurer of each county to mail notice to delinquent taxpayers advising them of their rights under this chapter within sixty (60) days after the approval of this Act."

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Printing: Reported S. B. No. 27 correctly printed, report adopted.

Committee on Judiciary:

That S. B. No. 77 do pass.

That S. B. No. 78 do pass.

That S. B. No. 81 do pass.

That H. B. No. 101 be concurred in.

That H. B. No. 104 be concurred in.

That H. B. No. 105 be concurred in.

That H. B. No. 106 be concurred in.

Reports adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Governor this day advised the Senate that he had approved: Senate Joint Resolution No. 2.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time and referred to committees:

S. B. No. 85, by Page: A Bill for an Act entitled: "An Act to provide for the censorship of motion picture films exhibited in the State of Montana; providing for the appointment of a state film censor and deputy censors and defining their powers, duties and compensation; providing fees to be paid for the examination and censorship of all motion picture films; defining certain terms used in this Act and establishing penalties for the violation of this Act." To Public Morals.

S. B. No. 86, by Wass: A Bill for an Act entitled: "An Act to amend Chapter 52 of the Session Laws of Montana, Twenty-first Session, 1929, relating to an Act to establish a game preserve in a portion of Judith Basin County, for the protection of game, animals and birds, to be known as Judith River Game and Bird Preserve, and providing penalties for the killing, hunting, trapping and pursuing any game animals or birds in such preserve, or the carrying of firearms therein." To Fish and Game.

S. B. No. 87, by Sparling: A Bill for an Act entitled: "An Act to authorize the County Commissioners and the County Clerk to execute on behalf of the county a release of property described in any seed grain contract executed under the State Drought Relief Act of 1918, Sections 4640 to 4679 inclusive, R. C. M., 1921, in cases where the recovery of the amount due under such contract has been barred by the statute of limitation, and repealing all Acts in conflict herewith." To Counties and Towns.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion of Senator Lamp, duly seconded and carried, the Senate concurred in the House amendments to S. B. No. 7.

On motion of Senator Anderson, duly seconded and carried, S. B. No. 69 was this day taken from General File and referred to the Committee on Agriculture.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion of Meyer, duly seconded and carried, Senate Bill No. 80 was ordered printed and placed on General File.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Wass and Simmons: A Bill for an Act entitled: "An Act providing for the submission to the qualified electors of the State of Montana

of an amendment to Section Five of Article Five of the Constitution of the State of Montana, relating to sessions of the Legislative Assembly."

By Simmons and Wass: A Bill for an Act entitled: "An Act creating a Legislative Council; providing for the appointment of the members thereof; prescribing the powers and duties of such council; and fixing the compensation of the members thereof."

By Holt: A Bill for an Act entitled: "An Act relating to tax, levied, made and fixed by Boards of County Commissioners, city and town councils and commissions, and other boards and commissions authorized by law to make and fix levies."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Meyer: A Bill for an Act entitled: "An Act to amend Section 4592 of the Revised Codes of Montana of 1921, as amended by Section 3 of Chapter 133, of the Session Laws of the Twenty-first Legislative Assembly relating to rural improvement districts and providing for the maintenance and preservation of improvements within such improvement districts, by contract or otherwise, in such way or manner as the Board of County Commissioners shall deem suitable and proper."

By Campbell and Larson: A Bill for an Act entitled: "An Act amending Section 19 of Chapter 181 of the Session Acts of the Twenty-third Legislative Assembly of Montana of 1933 relating to income tax returns."

By Lamp and Kalberg: A Bill for an Act entitled: "An Act to amend Section 4874, Revised Codes of Montana, 1921, as amended by Chapter 82 of the Acts of 18th Legislative Assembly, and to repeal Section 4978 Revised Codes 1921, all relating to the power and authority of County Commissioners to fix the number, appointment and compensation of deputies and assistants to county officers."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day gave notice that he was about to sign and did sign in open session:

House Bill No. 94.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion, duly seconded and carried, Senate Substitute for House Bill No. 2 was this day re-referred to the Committee on Judiciary.

On motion, duly seconded and carried, House Bill No. 7 was this day referred to the Senate Committee on Judiciary, after having been received from the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Burris, duly seconded and carried, that Senate Bill No. 1 be placed at the head of the list on General Orders.

It was moved by Holding, duly seconded and carried, that Substitute House Bill No. 6 be passed for the day.

It was moved by Byrne, duly seconded and carried, that House Bill No. 79 be made a Special Order of Business at 2:30 o'clock in the afternoon.

It was moved by Mulholland, duly seconded and carried, that the House postpone its action on House Bill No. 92 until the like bill comes in from the Senate.

It was moved by Manning, duly seconded and carried, that consideration of House Bill No. 150 be passed for the day.

It was moved by Stimatz, duly seconded, that the House reconsider its action on House Bill No. 208. A roll call was demanded and the motion was lost by the following vote:

Ayes: Ahlgreen, Busch, Chamberlain, Connors, Cusick, Foor, Holding, Hinerman, Joffray, Johnson, McCausland, McLaughlin, Moss, Mulholland, Nelson, Padbury, Petersen (Sheridan), Ryan, Scofield, Southmayd, Stimatz. Total 21.

Noes: Acher, Anderson, Balgord, Bertsche, Boone, Burris, Byrne, Conner, Coultas, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Fowler, Goodwin, Gordon, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harwood, Haugan, Heavlin, Hedden, Kathan, Kelly, Kruse, Lasby, Leavitt, Liggett, Logan, Lott, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mundy, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Parker, Peterson (Gallatin), Quigley, Sexton, Sherman, Smith, Spiegel, Stevens, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 65.

Absent and not voting: Ballard, Brennan, Buttelman, Chapman, Gray, Harlen, Kuhl, Leary, Lemmer, Lippard, Lovell, Minette, Peterson (Valley), Ritch, Rolph, Stromnes. Total 16.

The Speaker: Twenty-one have voted "aye", sixty-five have voted "no"; the motion was lost.

It was moved by Worden, duly seconded and carried, that consideration of House Bills Nos. 39 and 40 be passed for the day.

It was moved by Toomey, duly seconded, that the House reconsider its action on House Bill No. 154. Motion was lost.

Without objection, the Committee on Carey Investigation was excused for the day.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND
READING OF THE SAME

The following were introduced, read first and second time, and referred to committees; all appropriation measures having been read at length:

House Joint Resolution No. 4, introduced by White of Judith Basin: Directing the Governor to proclaim October 11th of each year "General Pulaski's Memorial Day" for the observance and commemoration of the death of Brigadier General Casimir Pulaski. Referred to Committee on Military Affairs.

House Bill No. 234, introduced by Ewing: A Bill for an Act entitled: "An Act regulating the operation of railroads within the State of Montana; providing for inspection of tracks, limiting the amount of track that can

be inspected in one day by employees; and providing penalties for the violation of this Act." Referred to Committee on Railroads and Transportation.

House Bill No. 235, introduced by Holding and Burris: A Bill for an Act entitled: "An Act to amend Section 520 of the Revised Codes of Montana of 1921 as amended by Chapter 146 of the 1933 Session Laws relating to the printing and distribution of reports of state officers." Referred to the Committee on State Boards and Officers.

House Bill No. 236, introduced by Committee on Agriculture: A Bill for an Act entitled: "An Act providing for the enforcement of the laws governing the grading of hay in the State of Montana; providing for the inspection thereof and conferring certain powers and duties upon the Commissioner of Agriculture, Labor and Industry, and repealing Section 4231 of the Session Laws of 1931 and all other Acts conflicting herewith." Referred to the Committee on Agriculture.

House Bill No. 237, introduced by Committee on Agriculture: A Bill for an Act entitled: "An Act to amend Section 4230 of the Revised Codes of Montana, 1921, relating to the sale of hay." Referred to the Committee on Agriculture.

House Bill No. 238, introduced by Cusick: A Bill for an Act entitled: "An Act to amend Section 3 of Chapter 72 of the Session Acts of the Twenty-third Legislative Assembly of Montana of 1933, relating to the taking of fish in Lake and Flathead Counties." Referred to Committee on Fish and Game.

House Bill No. 239, introduced by Mulholland and Egan: A Bill for an Act entitled: "An Act of emergency relating to taxation and the regulating of the sale of property for taxes delinquent in the year 1934, and remitting the penalty for such delinquent taxes for said year if paid before October 1st, 1935." Referred to Committee on Revenue and Taxation.

House Bill No. 240, introduced by Ewing, Ormsbee and White of Judith Basin: A Bill for an Act entitled: "An Act relating to the licensing of the sale and distribution of beer and other similar beverages, and to amend Sections 13, 20 and 45, of Chapter 106, Laws of 1933, as amended by Sections 4, 8 and 15, of Chapter 46, Laws of the Extraordinary Session, 1934, relating thereto and adding thereto one new Section 4, relating to the method of refund of former license fee." Referred to Committee on Revenue and Taxation.

House Bill No. 241, introduced by Appropriations Committee by request: A Bill for an Act entitled: "An Act to appropriate money for the payment of the claim of Ford E. Hovey and Matt H. Tschirgi, as executors of the last will and testament of Frank M. Heinrich, deceased, for the payment of excess inheritance tax paid by the said executors." Referred to Committee on Appropriations.

THIRD READING OF SENATE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 65, introduced by Committee on Agriculture, was concurred in by the following vote:

Ayes: Acher, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Doe, Ecton, Egan, Emmons, Fowler, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harwood, Haugan, Heavlin, Hedden, Holding, Joffray, Johnson, Kathan, Kruse, Lasby, Leavitt, Lemmer,

Liggett, Lippard, Logan, Lott, Lovell, McCausland, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Moss, Mulholland, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Parker, Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 82.

Noes: Foor, Kelly, Mundy, Nelson, Padbury. Total 5.

Absent and not voting: Ahlgreen, Burris, Cusick, Emmett, Ewing, Goodwin, Harlen, Hinerman, Kuhl, Leary, McLaughlin, Monahan, Petersen (Sheridan), Stromnes. Total 14.

The following passed his vote: Stimatz.

The Speaker: Eighty-two have voted "aye," five have voted "no"; Senate Bill No. 65 has been concurred in by the House.

A call of the House was demanded by the required number. It was moved by Byrne, duly seconded and carried, that the call of the House be dispensed with.

Senate Bill No. 15, introduced by Meyer, Nass, Hammond, Putnam, Clifford, Angvick, Kalberg, Plumer and Blankenbaker, was concurred in by the following vote:

Ayes: Ahlgreen, Anderson, Ballard, Brennan, Burris, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Green (Dawson), Haight, Hamilton, Haugan, Heavlin, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Lasby, Leavitt, Lippard, Lott, McCausland, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Neary, Nutting, O'Brien, O'Byrne, Ormsbee, Petersen (Sheridan), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Stimatz, Whaley, White (Judith Basin), York, Mr. Speaker. Total 65.

Noes: Acher, Balgord, Bertsche, Boone, Buttelman, Byrne, Busch, Doe, Ecton, Egan, Gray, Groene (Fergus), Hall, Harlen, Harwood, Hedden, Lemmer, Liggett, Logan, Lovell, Metlen, Minette, Mundy, Nelson, O'Connor, Padbury, Parker, Peterson (Gallatin), Southmayd, Stevens, Toomey, Watson, White (Hill), Worden. Total 34.

Absent and not voting: Kuhl, Leary, Stromnes. Total 3.

The Speaker: Sixty-five have voted "aye," thirty-four have voted "no"; Senate Bill No. 15 has been concurred in by the House.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bills Nos. 130, 65 and 86.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following considered correctly engrossed: House Bill No. 182.

EWING, Chairman.

Without objection, report adopted.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

House Bill No. 130, introduced by Quigley and Anderson, was passed by the following vote:

Ayes: Acher, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors,

Coultas, Doe, Egan, Emmett, Emmons, Ewing, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugen, Heavlin, Hedden, Holding, Johnson, Kathan, Kruse, Lasby, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Neary, Nutting, O'Byrne, Ormsbee, Padbury, Parker, Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Toomey, Watson, Whaley, White (Judith Basin), Worden, Mr. Speaker. Total 82.

Noes: Kelly, McLaughlin, Mundy, Nelson, O'Brien, O'Connor, Stimatz, White (Hill), York. Total 9.

Absent and not voting: Ahlgreen, Cusick, Ecton, Foor, Hinerman, Joffray, Kuhl, Leary, Leavitt, Petersen (Sheridan), Stromnes. Total 11.

The Speaker: Eighty-two have voted "aye," nine have voted "no"; House Bill No. 130 has passed the House.

It was moved by Peterson of Gallatin, duly seconded and carried, that Third Reading of House Bill No. 65 be deferred until the afternoon session.

House Bill No. 86, introduced by Committee on Public Health and Sanitary Affairs, was passed by the following vote:

Ayes: Acher, Anderson, Balgord, Ballard, Bertsche, Brennan, Buttelman, Chamberlain, Chapman, Connors, Coultas, Ecton, Egan, Emmett, Emmons, Fowler, Gordon, Green (Dawson), Haight, Hall, Hamilton, Harlen, Haugen, Heavlin, Hedden, Holding, Kruse, Lasby, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Stevens, Stimatz, Toomey, Whaley, White (Judith Basin), York, Mr. Speaker. Total 68.

Noes: Boone, Busch, Doe, Ewing, Goodwin, Gray, Kelly, Moss, Mundy, Nelson, Padbury, Peterson (Gallatin), Southmayd, Watson, White (Hill), Worden. Total 16.

Absent and not voting: Ahlgreen, Burris, Byrne, Conner, Cusick, Foor, Groene (Fergus), Harwood, Hinerman, Joffray, Johnson, Kathan, Kuhl, Leary, Logan, Metlen, Minette, Stromnes. Total 18.

The Speaker: Sixty-eight have voted "aye," sixteen have voted "no"; House Bill No. 86 has passed the House.

House Bill No. 182, introduced by Groene of Fergus, was passed by the following vote:

Ayes: Acher, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harwood, Haugen, Heavlin, Hedden, Holding, Joffray, Johnson, Kathan, Kelly, Kruse, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Scofield, Sexton, Sherman, Smith, Spiegel, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 85.

Noes: Ryan, Southmayd, Stevens. Total 3.

Absent and not voting: Ahlgreen, Burris, Cusick, Foor, Harlen, Hinerman, Kuhl, Leary, McLaughlin, Metlen, Minette, Nelson, Parker, Stromnes. Total 14.

The Speaker: Eighty-five have voted "aye," three have voted "no"; House Bill No. 182 has passed the House.

The Speaker announced he was about to sign Senate Bill No. 20, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

Senate amendments to House Bill No. 61, introduced by Stromnes, were concurred in by the following vote:

Ayes: Acher, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harwood, Haugan, Heavlin, Hedden, Holding, Joffray, Johnson, Kathan, Kelly, Kruse, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), Worden, York, Mr. Speaker. Total 85.

Noes: None.

Absent and not voting: Ahlgreen, Burris, Cusick, Foor, Harlen, Hinerman, Kuhl, Leary, McLaughlin, Metlen, Minette, Mundy, Nelson, Padbury, Smith, Stromnes, White (Hill). Total 17.

The Speaker: Eighty-five have voted "aye," none have voted "no"; Senate amendments to House Bill No. 61 have been concurred in by the House.

Mr. Logan of Yellowstone, who has filled the vacancy caused by the death of Verne D. Caldwell, was appointed, by the Speaker, to serve on all committees on which Mr. Caldwell was named.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Lovell, Harlen, Southmayd, Emmons, O'Connor, Mulholland, Spiegel, Holding and Burris: A Bill for an Act entitled: "An Act prohibiting the straying, grazing, or running at large of livestock on any fenced state highway of Montana; providing for herders while on state highway; providing for impounding and disposition of said livestock, and declaring an emergency to exist."

By Aviation Committee: A Bill for an Act entitled: "An Act to appropriate money for the administration, operation and maintenance of the Montana Aeronautics Commission for the period beginning April 1, 1935, and ending June 30, 1937."

By Aviation Committee: A Bill for an Act entitled: "An Act providing for the regulation of aeronautics within the State of Montana; providing for uniformity with Federal laws regulating aeronautics and creating the State Aeronautics Commission; providing for the appointment of members thereof; defining the powers and duties of such commission, and providing for the promulgation and issuance of rules and regulations by such commission."

By Stevens: A Bill for an Act entitled: "An Act providing for certain notices to be given by County Commissioners in event of sale by county of real estate which the county had theretofore acquired by tax deed, and providing for right of redemption by last owners, judgment debtors, mortgagees, or assignees, of record."

By Nutting: A Bill for an Act entitled: "An Act validating the organization of irrigation districts in the State of Montana and the bonds, warrants and other evidence of indebtedness heretofore issued by any such districts."

By Committee on Education by Request: A Bill for an Act entitled: "An Act establishing the County Unit Plan for the organization, administration and support of the public schools of the state, creating county school districts and subdivisions thereof, defining the organization, administration and functions of such county school districts and subdivisions, abolishing certain school districts heretofore existing; disposing of their property and making provisions for the payment of their indebtedness, creating County Boards of Education for the administration of county school districts and Boards of Trustees for certain independent subdistricts, specifying their powers and duties and providing for their organization and for the reorganization of existing boards to conform thereto, establishing a uniform system of school elections, requiring the preparation and adoption annually of school budgets, authorizing the making of tax levies for the support of the schools of the several counties and repealing Sections 985 to 991 inclusive, 995, 997, to 1002 inclusive, 1004 to 1039 inclusive, 1040 to 1048 inclusive, 1173, and 1181 to 1186 inclusive, Revised Codes of Montana, 1921, and all Acts amendatory thereof, or of any thereof, and all Acts and parts of Acts in conflict with the Act."

By Kruse: A Bill for an Act entitled: "An Act to amend Section 8 of Chapter 104 of the Session Laws of the Twenty-first Legislative Assembly, 1929, relating to handicapped persons trained for cosmetology by the State Bureau of Vocational Rehabilitation."

By O'Byrne, O'Brien, Mitchell, Neary and Spiegel: A Bill for an Act entitled: "An Act to amend Section 3418, Revised Codes of Montana, 1921, relative to the appointment, term, and compensation of quartz mine inspectors. The said amendment to provide for the election of one such inspector, the appointment of a deputy when necessary and fixing their salaries."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following correctly enrolled: House Bills Nos. 43, 108, 109 and 110.

MONAHAN, Chairman.

Without objection, report adopted.

I have read House Bill No. 43 as reported from the Enrolling Committee and certify same to be correct.

BOONE.

The Speaker announced that he was about to sign House Bill No. 43, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced that he was about to sign Senate Bill No. 37, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced that he was about to sign Senate Bill No. 23, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 7, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

I have read House Bill No. 110, as reported from the Enrolling Committee, and certify same to be correct.

BOONE.

The Speaker announced he was about to sign House Bill No. 110, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

I have read House Bill No. 109, as reported from the Enrolling Committee, and certify same to be correct.

BOONE.

The Speaker announced he was about to sign House Bill No. 109, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

I have read House Bill No. 108, as reported from the Enrolling Committee, and certify same to be correct.

BOONE.

The Speaker announced he was about to sign House Bill No. 108, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 192, entitled: "An Act to amend Section 2038, Revised Codes of Montana, 1921, as amended by Chapter 43 of the Laws of the Nineteenth Legislative Assembly of the State of Montana, 1925, relating to traveling expenses of Assessors and their deputies," respectfully report as follows: That House Bill No. 192 do pass.

BALLARD, Chairman.

On motion of Ballard, report adopted.

Mr. Speaker: We, a majority of your Committee on Privileges and Elections, having had under consideration House Bill No. 141, entitled: "An Act to regulate the nomination and election of all county officers enumerated in Section 4725 R. C. M., 1921; providing for a primary ballot and a general election ballot without party designation for the nomination and election of all such officers; providing the form of nominating petitions for the offices aforesaid; designating the form and arrangement of ballots to be used at said elections; adapting the provisions of existing primary and general election laws to the elections provided for in this Act, and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 141 do not pass.

O'CONNOR,
MILLER,
HAUGAN,
PARKER,
SCOFIELD,
WORDEN,
RYAN,
GOODWIN,
HEDDEN.

Mr. Speaker: We, a minority of your Committee on Privileges and Elections, having had under consideration House Bill No. 141, entitled: "An Act to regulate the nomination and election of all county officers enumerated in Section 4725 R. C. M., 1921; providing for a primary ballot

and a general election ballot without party designation for the nomination and election of all such officers; providing the form of nominating petitions for the offices aforesaid; designating the form and arrangement of ballots to be used at said elections; adapting the provisions of existing primary and general election laws to the elections provided for in this Act, and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 141 do pass.

YORK, Chairman.

It was moved by O'Connor, duly seconded, that the majority report be adopted.

On substitute motion, it was moved by York, duly seconded, that the minority report be adopted.

As a substitute motion for all motions pending, it was moved by Minette, duly seconded and carried, that further consideration of House Bill No. 141 be indefinitely postponed.

It was moved by Byrne, duly seconded and carried, that the Special Order of Business be cancelled and that House Bill No. 79 be placed on General Orders immediately after Senate Bill No. 1.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders and that the following rules shall govern debate until such time as these rules be modified by the House, to-wit: The author of any motion, either on bill or amendment, shall be granted five minutes' time, all others, three minutes, and each member speak only once, excepting the mover, who have three minutes to close, and that all bills be read by history, title and section number only.

Leavitt of Custer in the Chair. Committee arose.

House resumed. Mr Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bill No. 1 and House Bill No. 79, recommend the following:

That Senate Bill No. 1 be amended as follows: Amend Section 1 of the printed bill by inserting in line 3 after the word "boards" the words "and shall not write fire insurance on state property"; amend by striking Section 4 in its entirety; and that Senate Bill No. 1 be concurred in as amended.

That House Bill No. 79 be amended as follows: All amendments, except if otherwise stated, applying to the printed bill: Amend Section 2, line 7 after the word "every" by inserting the word "individual" and a comma; amend Section 5, line 2, after the word "apply" by inserting the words "in writing"; by striking the period at the end of line 3 in said Section 5 and substituting therefor a comma, and adding to said section the following new matter: "and said written application shall contain the name of the applicant for such license, and a particular description of the room and premises in which the licensee intends to carry on, conduct or operate any game of chance authorized by this Act, together with the location of the building, its street and number, if such there be, and any other information by which such building may be definitely and readily located and identified, and said written application shall by name specify the particular game of chance to be operated by said applicant; no license issued under the provisions of this Act shall be transferable by the licensee to any other person, firm, association or corporation, and any such license shall be valid only for the particular room and premises described therein and the specified game of chance for which it is issued. No license money paid under this Act shall be refunded, whether the licensee has voluntarily ceased operation of the game of chance for which any such license was issued, or whether such license has been revoked under the provisions of this Act, or

for any other reason"; amend Section 6, by inserting after the word "rendered" in line 22 the following words: "The license above mentioned shall remain revoked or suspended during the pending of said action and until it is finally disposed of"; amend Section 7 by striking out in line 9, after the word "Treasurer", all the remaining portion of said Section to and including the word "Pensions", in line 18 of this Section and inserting in lieu thereof the words "The Board shall thereupon pay and deliver to the State Old Age Insurance Commission all revenues collected under the terms of this Act, all of said revenue shall be distributed as follows: One-half ($\frac{1}{2}$) thereof shall be transferred to the state old age insurance fund, twenty-five per cent (25%) thereof to the general fund of the State of Montana, twenty-five per cent (25%) thereof to the poor fund of each county, irrespective of the amount of license fee collected in each county"; amend Section 15 by inserting in line 2 after the word "Act" the following words "or shall be allowed to remain in any place where gambling is going on"; amend Section 15 by changing the period at the end of the section to a semi-colon and adding the following: "and shall be required to return to such person or persons as shall have been found to have been allowed to play at such game or games any such sum or sums or things of value as such person or persons may have lost in such play"; amend Section 17 by striking all of same and substituting therefor the following: "Any person who shall knowingly permit any game of chance to be operated, dealt, or carried on in any house, building, or other premises owned by, under lease to, or occupied by him, which said game of chance is operated, dealt, or carried on by a person who has not received a license or licenses as herein provided, shall be guilty of a misdemeanor; provided further, that any house, building, or other premises in which a game of chance is carried on or occurs in violation of any of the provisions of this Act, shall be subject to abatement as provided by Sections 11123 to 11133 of the Revised Codes of Montana, 1921"; amend Section 18 by striking out in line 6 the words and figures "twenty-five per centum (25%)" and inserting in lieu thereof the words "fifty per centum (50%)"; amend Section 18 by adding thereto the following: "Nothing contained in this Act shall be deemed to affect the power conferred by the provisions of the organic law of any county or incorporated city or town in the State of Montana to fix, impose or collect a license tax for the operation of a game of chance, and in all such counties or incorporated cities or towns, the board shall not issue any gambling license mentioned in this Act for the operation of a game of chance until the applicant shall have first exhibited to said board a valid and subsisting license obtained from such county or incorporated city or town within the county, permitting the operation of such game of chance at the particular location mentioned in the application to said board for conducting such game of chance within the said county or incorporated city or town," amend by striking Section 20 in its entirety; amend by inserting a new section known as Section 20 to read as follows: "The board may in its discretion, grant or refuse a license where the premises upon which said license is to be used, is occupied by any other commercial enterprise; and the board shall have the further power in its discretion to revoke or cancel a license where such gambling business is conducted in conjunction with any other commercial enterprise"; amend Section 20 of the original bill by inserting the word "successive" in line 2 after the figure "four (4)" and at the end of said Section by adding the words: "and in the event that no newspaper is published and circulated in such county, then in a newspaper having general circulation in such county"; amend by adding a new section known as Section 21 to read as follows: "Section 21. No gambling shall be conducted in a state liquor store." Amend Section 19 of the original bill by striking out in lines 1 and 2 of said section, the words and figures "one-third ($\frac{1}{3}$)" and inserting in lieu thereof the words and figures: "ten per centum (10%)"; amend Section 19 of the original bill by striking out "No election, under this section must take place in any month in which the general elections are held" and inserting in lieu thereof the words: "Elections, under this section, shall be held at general or special elections."

Amend Section 22, by striking all of said Section after the word "words" in line 2, and inserting in lieu thereof the following: "for licensed gambling, Yes;" 'Against licensed gambling, Yes.' The electors as such election in order to vote must mark an 'X' in the square provided for such purpose opposite one of the answers printed on said ballot"; amend Section 24 by adding thereto at the end thereof, the following: "The entire cost of holding said election, irrespective of the outcome thereof, shall be paid from the special revenue and old age pension fund." Amend Section 25 by striking out in lines 1 and 2 the words "in any two (2) years" and inserting in lieu thereof the words "a year", and as amended, do pass.

LEAVITT, Chairman.

On motion of Leavitt, report adopted.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Saturday at 11:00 o'clock A. M., February 9th, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

THIRTY-FOURTH DAY

House of Representatives,
Helena, Montana, February 9, 1935.

House convened, pursuant to adjournment, at 11:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present except the following who were excused: Leary.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the thirty-third legislative day, find the same to be correct.

QUIGLEY, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bill No. 50 and House Resolution No. 5, do hereby report that the aforementioned, together with copies thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 4:55 o'clock, P. M., delivered to the Governor for his approval.

MONAHAN, Chairman.

Without objection, report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Ritch and Haight: A Bill for an Act entitled: "An Act to amend Section 6339 of the Revised Codes of Montana of 1921, as amended by Chapter 55 of the Session Laws of the Twenty-second Legislative Assembly of the State of Montana, relating to the payment of death and annuity benefits upon the lives of children; providing for the organization and operation of a branch of the society for children, and providing for the amount of benefits thereunder."

By Nutting: Substitute for House Bill No. 12: A Bill for an Act entitled: "An Act providing for dissolution of herd law district, or portion thereof in the State of Montana."

By Stevens: A Bill for an Act entitled: "An Act to permit the payment of delinquent taxes, assessments, penalties and interests on real estate and certain personal property by installment payments, and repealing all Acts and parts of Acts in conflict therewith."

By Leavitt: A Bill for an Act entitled: "An Act relative to the classification of highways within the State of Montana and defining which of said highways shall be maintained by the Montana Highway Commission from the state highway fund."

By Leavitt: A Bill for an Act entitled: "An Act relative to the establishment of water rates by a water plant owned by a city without the consent of the Public Service Commission."

By Committee on Dairying; Sexton, Chairman: A Bill for an Act entitled: "An Act levying a license tax on all butterfat purchased in connection with the operation of creameries, cheese factories, ice cream factories, condensed milk factories and milk and cream buying and receiving stations."

By Stimatz: Bill for an Act entitled: "An Act relating to the employment of House Reporters, to be employed by the House of Representatives, and defining their duties; limiting unjust criticism by newspaper reporters in discussing through the press of the state, statements and actions of members who are advocating legislation; providing a penalty for violation thereof."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 42, entitled: "An Act to repeal Sections 10737, 10738, 10739, 10740, 10741, 10742, 10743, 10744, 10745, and 10746 of the Revised Codes of Montana of 1921, relating to the crimes of sedition, criminal syndicalism, and prohibiting carrying, displaying or exhibiting any red flag as a symbol," respectfully report as follows: That House Bill No. 42 do not pass but that Substitute House Bill No. 42 do pass.

MULHOLLAND, Chairman.

On motion of Mulholland, report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 29, which has been re-referred to this committee, entitled: "An Act to provide for a minimum compensation for women employed in any occupation within the State of Montana, excepting housework, and excepting those employed under an existing contract where the wages amount to \$16.00 per week or more, and providing penalty for violation thereof," respectfully report as follows: That House Bill No. 29 be amended as follows: In line 1 of the title, strike out "women" and insert "female person."

Re-amend the title, inserting after the word, "housework", the following: "and/or work performed by students and apprentices in hospitals and schools."

In line 3 of Section 1, strike out the words, "woman or women", and insert, "female person."

In line 5 of Section 1, insert after the word, "housework", the following: "and/or work performed by students and apprentices in hospitals and schools," and as amended do pass.

MULHOLLAND, Chairman.

On motion of Mulholland, report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration Senate Bill No. 46, entitled: "An Act to regulate the hours of

labor of drivers and attendants of motor busses in the State of Montana; defining the term 'attendant' and fixing penalties for the violation of the provisions of this Act," respectfully report as follows: That Senate Bill No. 46 be concurred in.

MULHOLLAND, Chairman.

On motion of Mulholland, report adopted.

Mr. Speaker: We, your Committee on Dairying, having had under consideration House Bill No. 232, entitled: "An Act providing for standards for the grading of creamery butter; and to amend Section 59 of Chapter 39 of the Session Laws of 1933 relating to the regulations governing the purchase of milk and cream and providing for standards for the grading thereof; providing for grade purchase differentials; providing for the enforcement thereof and penalties for the violation thereof; and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 232 do pass.

SEXTON, Chairman.

On motion of Sexton, report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 225, entitled: "An Act relating to hearings upon claims for compensation," respectfully report as follows: That House Bill No. 225 do not pass.

SPIEGEL, Chairman.

On motion of Spiegel, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 126, entitled: "An Act to provide an additional gasoline dealers' license tax, providing the amount and method of collection thereof and how revenues derived therefrom will be distributed," respectfully report as follows: That House Bill No. 126 be referred to the Highways Committee.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 46, entitled: "An Act to amend Section 5003, of the Revised Codes, of Montana, of 1921, relating to electors of cities and towns and terms of office," respectfully report as follows: That House Bill No. 46 do not pass, but that Substitute House Bill No. 46 do pass.

HAIGHT, Chairman.

On motion of Haight, report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 191, entitled: "An Act to amend Section 19 of Chapter 60 of the Laws of 1927, as amended by Chapter 151 of the Laws of 1933, and Sections 73 and 76 of Chapter 60 of the Laws of 1927, relative to exchange of state lands, the publication of notice of sale of state lands and regulating the sale thereof," respectfully report as follows: That House Bill No. 191 be printed and placed on General Orders.

METLEN, Chairman.

On motion of Metlen, report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 124, entitled: "An Act relating to the tenure of leases of state lands for grazing purposes, heretofore issued by virtue of the provisions of Chapter 42 of the Laws of 1933; providing for the extension thereof," respectfully report as follows: That House Bill No. 124 do pass.

METLEN, Chairman.

On motion of Metlen, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration Senate Bill No. 39, entitled: "An Act to amend Section 21 of Chapter 89, Session Laws of the Twentieth Legislative Assembly, 1927, being an Act relating to the liability of stockholders of Montana State Banks," respectfully report as follows: That Senate Bill No. 39 be concurred in.

ACHER, Chairman.

On motion of Acher, report adopted.

Mr. Speaker: We, your Committee on Printing, beg leave to report the following correctly printed: House Bills Nos. 162, 164, 117, 163, 160, 142 and Substitute House Bill No. 204.

McCAUSLAND, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration Senate Bill No. 6, entitled: "An Act amending Sections 1 and 2, Chapter 5, Laws of Montana, Extraordinary Session, 1933-34, permitting any executor, administrator, guardian, or conservator, trustee or other fiduciary to invest funds eligible for investment in bonds of the home owners' loan corporation; making obligations of national mortgage associations or similar credit institutions now or hereafter organized under Title III of the National Housing Act and bonds of the home owners' loan corporation eligible for investment purposes for any insurance company, building and loan association, bank trust company, investment company, or other financial institutions operating under the laws of this state: making such bonds security for all deposits of public funds or other obligations for which depository bonds or any kind of bonds or other securities are required; declaring an emergency," respectfully report as follows: That Senate Bill No. 6 be concurred in.

ACHER, Chairman.

On motion of Acher, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 28, entitled: "An Act relating to the preservation of chattel mortgages and authorizing the destruction of mortgages by the County Clerk and Recorder after the lapse of the time designated in the Act," respectfully report as follows: That Senate Bill No. 28 be amended as follows: By inserting in the title thereof, after the word, "recorder" in line 7, the words, "Secretary of State and Registrar of Motor Vehicles."

By inserting, after the word, "state" in line 13, the following: "the office of the Secretary of State of the State of Montana and the office of the Registrar of Motor Vehicles."

By inserting, after the word, "clerk" in line 14 of the original bill, the words, "Secretary of State or Registrar of Motor Vehicles."

By inserting, after the word, "recorder" in line 19 of the original bill, the words, "Secretary of State or Registrar of Motor Vehicles," and that as amended, Senate Bill No. 28 be concurred in.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 206, entitled: "An Act providing for the printing and binding of Supreme Court decisions, Session Laws and Codes," respectfully report as follows: That House Bill No. 206 be amended as follows: By striking therefrom all the matter appearing after the words and figures "Section 1." in line 9 of said bill, through the period in line 16 thereof, and substituting in lieu of stricken matter the following:

"The State Purchasing Agent shall, as occasion may require, call for bids for the printing and/or the binding of all decisions of the Supreme Court of Montana, all Session Laws, resolutions and memorials, and all Codes and Statutes (revised or otherwise). All contracts for the printing and/or binding thereof be let to contractors, publishers, or printers actually doing business within the State of Montana, and all labor on or connected with such printing and/or binding shall be performed within the State of Montana; and no such printing or binding shall be done or performed without the State of Montana, provided, however, that nothing herein contained shall prevent the receipt of bids from contractors, publishers or printers doing business outside of Montana, and in the event that the bids for such printing and/or binding from contractors, publishers or printers actually doing business within the State of Montana are in excess of ten (10) per centum of the bids received for such printing and/or binding from contractors, printers or publishers doing business outside the State of Montana, contracts on such bids may be let or awarded to contractors, publishers or printers outside the State of Montana, and the labor thereon performed outside of Montana," and as amended do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 146, entitled: "An Act to amend Sections 4 and 8 of Chapter 105, Session Laws of the Twenty-third Legislative Assembly, 1933, relating to the 'State Liquor Control Act of Montana', administration of this Act, creation of board, and its powers and functions," respectfully report as follows: That House Bill No. 146 do not pass.

MONAHAN, Chairman.

It was moved by Monahan, duly seconded, that the report be adopted. On substitute motion, it was moved by Haight, duly seconded and carried, that House Bill No. 146 be referred to the Judiciary Committee.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 198, entitled: "An Act to amend Section 14 of Chapter 46 of the Session Laws of the Twenty-third Legislative Assembly, 1933, relating to the regulation and location of beer licensee," respectfully report as follows: That House Bill No. 198 do not pass.

MONAHAN, Chairman.

On motion of Monahan, report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration Senate Bill No. 53, entitled: "An Act to amend Section Four (4) of Chapter Six (6) of the Session Acts of Montana, Twenty-first Session, 1929, relating to the production, use, sale, dispensing, and possession of marihuana, or any derivative, making it a felony for the violation of the provisions hereof, and repealing Acts and parts of Acts in conflict herewith," respectfully report as follows: That Senate Bill No. 53 be concurred in.

MONAHAN, Chairman.

On motion of Monahan, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day recommended that further consideration of House Bill No. 85 be indefinitely postponed, report adopted and bill is herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Burris, duly seconded and carried, that further messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Campbell and Pauline: A Bill for an Act entitled: "An Act to amend Section 9427 of the Revised Codes of Montana of 1921 relating to exemptions of property from execution and repealing Chapter 120 of the Session Acts of the Twenty-third Legislative Assembly of 1933, and all other Acts and parts of Acts in conflict herewith."

By Blankenbaker: A Bill for an Act entitled: "An Act requiring the State Board of Land Commissioners to give credit on all grazing leases of state lands to lessees who paid the rentals for the year beginning March 1, 1933, at the rate provided by law before the effective date of Chapter 42 of the Session Acts of the Twenty-third Legislative Assembly of 1933, for an amount equal to the reduction in such rates effected by said Act."

By Hammond: A Bill for an Act entitled: "An Act to amend Section 10482 of the Revised Codes of Montana of 1921, as amended by Chapter 133 of the Acts of the Twenty-third Legislative Assembly of 1933."

By Oliver: A Bill for an Act entitled: "An Act amending Section 1999 of the Revised Codes of Montana of 1921, relating to the classification of property for taxation."

By Oliver: A Bill for an Act entitled: "An Act relating to taxation requiring the payment of taxes on all state, county, school district and other municipal bonds, warrants and securities, before principal or interest thereon is paid; and requiring the presentation of evidence of tax payment by holders of such securities."

By Oliver: A Bill for an Act entitled: "An Act authorizing the issuance of free Class A hunting and fishing license to veterans receiving compensation for disability incurred in the military or naval service of the United States; and specifying the procedure for the issuance of such license."

By Nass and Benjamin: A Bill for an Act entitled: "An Act defining and prohibiting discrimination in the sale off merchandise within the State of Montana; providing punishment for the violation of this Act; declaring rules of evidence in prosecution under this Act; authorizing the recovery of damages for a violation of this Act; defining the duties of the Attorney General in relation to this Act; defining terms used in this Act, and repealing all Acts and parts of Acts in conflict herewith."

By Benjamin: A Bill for an Act entitled: "An Act to amend Section 4771 of the Revised Codes of Montana of 1921, relating to the duties of State Examiner and County Clerk."

By Cotter: A Bill for an Act entitled: "An Act defining certain acts relative to the financing and operating of mining and oil companies as fraudulent, providing for the prosecution of said fraudulent Acts, and fixing penalties upon the conviction thereof"

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notice of introduction was this day received:

By Lamp and Simmons: A Bill for an Act entitled: "An Act providing for the consolidation of county offices, for the filing of petitions asking for such consolidation and prescribing and defining the powers and

duties of Boards of County Commissioners in connection therewith." This notice is given in lieu of all previous notices.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Judiciary: Recommended that S. B. No. 64 be amended by striking out in line 11 the word and number, "Section 1.", and by inserting quotation marks before the word "Section" in line 9 and after the word "action" in line 13;

And as so amended, recommend said S. B. No. 64 do pass, report adopted.

Judiciary: That S. B. No. 63 do not pass, report adopted.

Taxation: That H. B. No. 34 be concurred in, report adopted.

That S. B. No. 18 do not pass, but that Substitute S. B. No. 18, entitled: A Bill for an Act entitled: "An emergency Act relating to taxation, providing for the payment in installments of taxes and assessments delinquent and unpaid on December 1, 1934, and repealing Chapter 45 of the Acts of the Extraordinary Session of the Twenty-third Legislative Assembly of Montana and all Acts and parts of Acts in conflict herewith," do pass, report adopted.

That Substitute S. B. No. 8 do not pass, but that Substitute for Substitute S. B. No. 8, entitled: A Bill for an Act entitled: "An Act relating to the effect to be given to the valuation of property of public utilities for taxation purposes in determining the valuation of the same property for rate making purposes," do pass, report adopted.

Enrolled Bills: Reported Senate Bills 7, 23, 35 and 37 correctly enrolled and duly verified, report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Printing: Reported Senate Bills 67, 55, 75, 77, 78, 80, 81 and 84 correctly printed, report adopted.

Committee on Enrolled Bills: Reported S. B. No. 20 correctly enrolled and duly verified, report adopted.

Banks and Banking: Recommend that H. B. No. 64 be amended by striking out in line 9, printed bill, after the word, "rate", the words, "of not less than one per cent (1%) per annum", and inserting the words, "to be" in line 9 after the word "rate";

By striking out in line 46 the semi-colon and inserting a period and by striking out in line 46 beginning with the word "provided", the balance of line forty-six and all of lines 47 and 48, and in line 49 to and including the word, "reserve", and as so mended, recommend said H. B. No. 64 be concurred in, report adopted.

Banks and Banking: That S. B. No. 66 do not pass, report adopted.

Judiciary: That H. B. No. 99 be concurred in, report adopted.

That H. B. No. 127 be concurred in, report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced in the Senate, read first and second time and referred to committees:

Substitute House Bill No. 44, by Judiciary Committee: To State Boards and Offices.

H. B. No. 77, by Ecton: To Education.

H. B. No. 80, by Foor: To Taxation.

H. B. No. 87, by Committee on Public Health and Sanitary Affairs, by request: To Judiciary.

H. B. No. 136, by Groene: To Banks and Banking.

H. B. No. 149, by Stimatz: To Elections and Privileges.

H. B. No. 177, by Committee on Fairs and Expositions: To Public Morals.

H. B. No. 178, by Committee on Fairs and Expositions: To Taxation.

H. B. No. 179, by Committee on Fairs and Expositions: To Public Morals.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time and referred to committees:

S. B. No. 88, by Meyer: A Bill for an Act entitled: "An Act to amend Section 4592 of the Revised Codes of Montana of 1921, as amended by Section 3 of Chapter 133, of the Session Laws of the Twenty-first Legislative Assembly relating to rural improvement districts and providing for the maintenance and preservation of improvements within such improvement districts, by contract or otherwise, in such a way or manner as the Board of County Commissioners shall deem suitable and proper." To Counties and Towns.

S. B. No. 89, by Campbell and Larson: A Bill for an Act entitled: "An Act amending Section 19 of Chapter 181 of the Session Acts of the Twenty-third Legislative Assembly of Montana of 1933 relating to income tax returns." To Taxation.

S. B. No. 90, by Sparling: A Bill for an Act entitled: "An emergency Act relating to the granting of relief from execution sales of real estate; providing for extending the period of redemption from said mortgage foreclosure and execution sales, and designating the procedure to obtain such relief and the authority of courts in relation thereto; limiting the right to maintain actions for deficiency judgments; extending the expiration of certain periods of redemption, and repealing all Acts and parts of Acts in conflict herewith." To Judiciary.

S. B. No. 91, by Holt: A Bill for an Act entitled: "An Act relating to tax levies made and fixed by Boards of County Commissioners, City and Town Councils and Commissions, and other boards and commissions authorized by law to make and fix tax levies." To Counties and Towns.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration Business on General File, respectfully report and recommend as follows:

That Sub. S. B. No. 22 be amended in Section 5, line 4, printed bill, by adding and inserting after the word "insurance," the words, "as hereinafter provided,"

That same be amended in Section 15, line 4, printed bill, by adding and inserting after the word "shall," the words, "be listed and," and as so amended, recommend said Sub. S. B. No. 22 do pass.

That S. B. No. 54 do pass.

That S. B. No. 59 do pass.

That S. B. No. 60 do pass.

That S. B. No. 73 do pass.

That S. B. No. 76 do pass.

That S. B. No. 27 be amended in Section 1 by striking out in line 4 after the word "headlight" the words, "and a rear pilot."

Be amended in the title by striking out in line 2 of the title the words, "a rear pilot and"; and as so amended, recommend said S. B. No. 27 do pass.

That S. B. No. 68 do pass.

That H. B. No. 83 be concurred in.

That further consideration of H. B. No. 85 be indefinitely postponed.

That consideration of H. B. No. 100 be passed for the day.

That H. B. No. 101 be concurred in.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day gave notice that he was about to sign and did sign in open session:

H. B. No. 50.

S. B. No. 7.

S. B. No. 20.

S. B. No. 23.

S. B. No. 35.

S. B. No. 37.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motions were this day made, duly seconded and carried:

Substitute motion by Meyer that the adverse report of the Committee on Banks and Banking on S. B. No. 62 be not adopted, and that S. B. No. 62 be recommended for passage.

Substitute motion by Putnam that S. B. No. 83 be printed and placed on General File.

Substitute motion by Meyer that S. B. No. 45 be printed and placed on General File.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bill No. 92 was this day introduced in the Senate, read first and second time, and referred to the Committee on Counties and Towns.

S. B. No. 92, by Lamp and Kalberg: A Bill for an Act entitled: "An Act to amend Section 4874 Revised Codes of Montana, 1921, as amended by Chapter 82, Acts of the 18th Legislative Assembly, and to repeal Section 4878, Revised Codes 1921, all relating to the power and authority of County Commissioners to fix the number, appointment and compensation of deputies and assistants to county officers."

House Joint Memorial No. 4 was this day received in the Senate, read first and second time, and referred to the Committee on Federal Relations.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Worden, duly seconded and carried, that House Bills Nos. 39 and 40 be taken from General Orders and referred to the Committee on Banks and Banking.

It was moved by Fowler, duly seconded and carried, that House Bill No. 79 be returned to the Committee on Engrossing, that mimeographed copies of the engrossed bill as amended be placed on the members' desks and that the bill be placed at the head of the list on General Orders on Monday, February 11th.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following were introduced, read first and second time and referred to committees; all appropriation measures having been read at length:

Substitute House Bill No. 42, introduced by the Committee on Labor: A Bill for an Act entitled: "An Act to repeal Sections 10737, 10738, 10739, 10740, 10741, 10742, 10743, 10744, 10745, and 10746 of the Revised Codes of Montana of 1921, relating to the crimes of sedition and criminal syndicalism." Committee on Printing.

Substitute House Bill No. 46, introduced by Committee on Privileges and Elections: A Bill for an Act entitled: "An Act to amend Section 5003 of the Revised Codes of Montana, 1921, relating to the election and term of office of all elective municipal officers." Committee on Printing.

House Bill No. 242, introduced by Goodwin: A Bill for an Act entitled: "An Act providing for the levying of taxes for the payment of the interest and principal of outstanding bonds of counties, cities, towns and school districts, and providing penalties for the failure, neglect or refusal to make such interest and sinking fund levies as are required by law, and repealing Section 26 of Chapter 188, and Section 23 of Chapter 160, of the Laws of the Twenty-second Legislative Assembly, and Section 27 of Chapter 147 of the Laws of the Twentieth Legislative Assembly, and all Acts or parts of Acts in conflict herewith." Committee on Education.

House Bill No. 243, introduced by Ahlgreen and Sexton: A Bill for an Act entitled: "An Act to amend Sections 1, 5, 8 and 9 of Chapter 189, Session Laws of Montana, 1931, relating to the Montana egg industry, fixing the license fee thereof, and adding thereto two new sections prescribing standards for the grades of eggs and method of sale of cold storage eggs." Committee on Dairying.

House Bill No. 244, introduced by Fowler: A Bill for an Act entitled: "An Act to provide state compensation for persons injured by motor vehicles on the highways of Montana; requiring the payment of a special fee by owners of motor vehicles to provide a fund for such compensation; providing schedules of compensation to be paid under the terms of this Act; defining the powers and duties of the Industrial Accident Board in relation to the administration of this Act; defining certain terms used herein; providing penalties for the violation of this Act and repealing all Acts in conflict herewith." Committee on Highways.

House Bill No. 245, introduced by Lasby: A Bill for an Act entitled: "An Act to amend Section 4465 Revised Codes of Montana, 1921, as amended by Chapter 95, Acts of the 18th Legislative Assembly, and by

Chapter 54, Acts of 20th Legislative Assembly, and by Chapter 100, Acts of the Twenty-second Legislative Assembly, and by Chapter 74, Acts of the Twenty-third Legislative Assembly, relating to the general and permanent powers of Boards of County Commissioners." Committee on Townships and Counties.

House Bill No. 246, introduced by Nutting: A Bill for an Act entitled: "An Act validating the organization of irrigation districts in the State of Montana and the bonds, warrants and other evidence of indebtedness heretofore issued by any such districts." Committee on Irrigation and Water Rights.

House Bill No. 247, introduced by Nutting, by Request: A Bill for an Act entitled: "An Act defining the title conveyed by tax deed and amending Section 9 of Chapter 176 passed by the Twenty-third Legislative Assembly of the State of Montana at its regular session in the year 1933, and repealing all Acts and parts of Acts in conflict therewith." Committee on Judiciary.

House Bill No. 248, introduced by Committee on Aviation, by Request: A Bill for an Act entitled: "An Act to appropriate money for the administration, operation and maintenance of the Montana Aeronautics Commission for the period beginning April 1, 1935, and ending June 30, 1937." Committee on Appropriations.

House Bill No. 249, introduced by Committee on Aviation, by Request: A Bill for an Act entitled: "An Act providing for the regulation of aeronautics within the State of Montana; providing for uniformity with Federal laws regulating aeronautics and creating the State Aeronautics Commission; providing for the appointment of members thereof; defining the powers and duties of such commission, and providing for the promulgation and issuance of rules and regulations by such commission." Committee on Aviation.

House Bill No. 250, introduced by Committee on Education, by Request: A Bill for an Act entitled: "An Act establishing the County Unit Plan for the organization, administration and support of the public schools of the state, creating county school districts and subdivisions thereof, defining the organization, administration and functions of such county school districts and subdivisions, abolishing certain school districts heretofore existing, disposing of their property and making provisions for the payment of their indebtedness, creating County Boards of Education for the administration of county school districts and Boards of Trustees for certain independent subdistricts, specifying their powers and duties, and providing for their organization and for the reorganization of existing boards to conform thereto, designating certain school administrative and supervisory officers and specifying their qualifications and manner of appointment, establishing a uniform system of school elections, requiring the preparation and adoption annually of school budgets, authorizing the making of tax levies for the support of the schools of the several counties, and repealing certain sections of the Revised Codes of Montana of 1921, and certain Acts of the Legislative Assembly of the state, and all other Acts and parts of Acts in conflict herewith and providing for county support of public schools, and for tax levies to provide the necessary revenue therefor, and for the transportation of pupils." Committee on Education.

House Bill No. 251, introduced by Committee on Education, by Request: A Bill for an Act entitled: "An Act establishing the County Unit Plan for the organization, administration and support of the public schools of the state, creating county school districts and subdivisions thereof, defining the organization, administration and functions of such county school districts and subdivisions, abolishing certain school districts heretofore existing, disposing of their property and making provisions for the payment of their indebtedness, creating County Boards of Education for the administration of county school districts and Boards of Trustees for cer-

tain independent subdistricts, specifying their powers and duties, and providing for their organization and for the reorganization of existing boards to conform thereto, establishing a uniform system of school elections, requiring the preparation and adoption annually of school budgets, authorizing the making of tax levies for the support of the schools of the several counties, and repealing Sections 985 to 991 inclusive, 995, 997 to 1002 inclusive, 1004 to 1008 inclusive, 1015, 1020 to 1039 inclusive, 1040 to 1048 inclusive, 1173, and 1181 to 1186 inclusive, Revised Codes of Montana, 1921, and all Acts amendatory thereof, or of any thereof, and all Acts and parts of Acts in conflict with this Act." Committee on Education.

House Bill No. 252, introduced by Lovell: A Bill for an Act entitled: "An Act prohibiting the straying, grazing, or running at large of livestock on any fenced state highway of Montana; providing for herders while on state highway; providing for impounding and disposition of said livestock, and declaring an emergency to exist." Committee on Livestock and Public Ranges.

House Bill No. 253, introduced by Worden: A Bill for an Act entitled: "An Act to repeal Chapter 120 of the Session Laws of the Twenty-third Legislative Assembly of the State of Montana, Regular Session, 1933." Committee on Judiciary.

House Bill No. 254, introduced by Stevens: A Bill for an Act entitled: "An Act providing for certain notices to be given by County Commissioners in event of sale by county of real estate which the county had theretofore acquired by tax deed, and providing for right of redemption by last owners, judgment debtors, mortgagees, or assignees, of record." Committee on Townships and Counties.

House Bill No. 255, introduced by O'Byrne, O'Brien, Mitchell, Neary and Spiegel: A Bill for an Act entitled: "An Act to amend Section 3418, Revised Codes of Montana, 1921, relative to the appointment, term, and compensation of quartz mine inspectors. The said amendment to provide for the election of one such inspector, the appointment of a deputy when necessary and fixing their salaries." Committee on Public Safety.

House Joint Memorial No. 9, introduced by Minette, Peterson (Valley), Ormsbee, Chapman, Hinerman and Holding: A memorial to the Congress of the United States, requesting the enactment of legislation to provide for Federal aid to the public schools, and the public school systems, of the several states, and setting forth the emergency which the current economic depression has brought about, and which renders financial assistance to the public schools of the State of Montana imperative." Committee on Federal Relations.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following correctly enrolled: House Bills Nos. 61 and 96.

MONAHAN, Chairman.

Without objection, report adopted.

I have read House Bill No. 61 as reported from the Enrolling Committee and certify same to be correct.

STROMNES.

I have read House Bill No. 96 as reported from the Enrolling Committee and certify same to be correct.

TOOMEY.

The Speaker announced he was about to sign House Bill No. 61, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 96, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

MOTIONS AND RESOLUTIONS

The following resolution was introduced and adopted:

Mr. Speaker: In compliance with instructions of the Committee on Appropriations, I hereby offer the following resolution:

WHEREAS, It has become a custom for state institutions, boards and officers to exceed, by large sums, the money appropriated by the Legislature for the maintenance of the said state institutions, boards and offices; and

WHEREAS, Such a custom destroys the purpose of the Legislature in limiting said appropriations and is against good business and good public policy; and

WHEREAS, Legislation to remedy this situation which will be effective in its nature but sufficiently elastic to avoid injury or destruction to any of the state's institutions, boards or officers is necessary;

THEREFORE BE IT RESOLVED, That the Speaker of the House be instructed to appoint a special committee of three to give study to this question and to introduce, before the 40th day, legislation to remedy this unfortunate situation.

FOWLER, Chairman.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Committee on Fairs and Expositions, by Request: A Bill for an Act entitled: "An Act to amend Section 4545, Revised Codes of Montana as amended by Chapter 30 of the Twentieth Legislative Assembly relating to the appointment, qualification, term of office, meetings and business of County Fair Commissioners."

By Balgord: A Bill for an Act entitled: "An Act to amend Section 8 of Chapter 89 of the Laws of the Twentieth Legislative Assembly of 1927, relating to the amount of capital stock and surplus necessary to the procuring of certificate of authorization for the establishment of a commercial bank, and providing further for the fixing of the amount of capital stock and surplus necessary in cities or towns of different population."

By Committee on Workmen's Compensation, by request: A Bill for an Act entitled: "An Act permitting injured workman or public officer to file claims for compensation for alleged industrial accident injury and disability after the expiration of six months from the date of the happening of the accident, injury and disability and permitting notice thereof to be deemed given."

By Sexton: House Joint Memorial: "Memorializing the United States Senate to ratify at the instant Session of Congress the treaty between the United States of America and the Dominion of Canada for the building of the Great Lakes-St. Lawrence Seaway."

By Stromnes: A Bill for an Act entitled: "An Act amending Section 2434 of the Revised Codes of Montana of 1921, relating to licenses for the operation and maintenance of billiard, pool, or bagatelle tables; theatres; intelligence offices; shooting galleries; pawnbroker shops; and for the payment of certain license taxes for engaging in and carrying on such businesses."

By Stromnes: A Bill for an Act entitled: "An Act to amend Section 3842 of the Revised Codes of Montana of 1921, relating to the maintenance of signal bells at railroad crossings."

By Stromnes: A Bill for an Act entitled: "An Act to amend Section 1010 Revised Codes of Montana, 1921, as amended by Chapter 70 of the Session Laws of the Eighteenth Legislative Assembly of 1923, as further amended by Chapter 76 of the Nineteenth Legislative Assembly, 1925, as further amended by Chapter 77, of the Twentieth Legislative Assembly, 1927, as further amended by Chapter 102 of the Twenty-first Legislative Assembly, 1929, relating to transportation, board, rent, tuition of pupils of any school district or districts of the State of Montana, and providing for furnishing transportation, rent, board and tuition for such pupils and providing for appeal, and provided further that the Board of Trustees of any school district of the first class may at their discretion let a contract for the transportation of pupils in said district subject to the provisions hereinabove contained for a period not to exceed three consecutive school terms."

By Kelly: A Bill for an Act entitled: "An Act to amend Section 3697 of the Revised Codes of Montana, 1921, as amended by Chapter 192 of the Laws of the Nineteenth Legislative Assembly of the State of Montana, 1925, Chapter 59 of the Laws of the Twentieth Legislative Assembly of the State of Montana, 1927, Chapter 152 of the Laws of the Twenty-second Legislative Assembly of the State of Montana, 1931, and again amended by Chapter 123 of the Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933, relating to open season for deer, and providing penalties for the violation thereof."

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that Orders of Business Nos. 8 and 9 be passed for the day.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Leavitt of Custer in the Chair. Committee arose.
House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate amendments to House Bills Nos. 63, 107, and 111, House Bills Nos. 180, 118, 184, 139, 171, 150, 202, 140, recommend the following:

That Senate amendments to House Bill No. 63 be concurred in.
That Senate amendments to House Bill No. 107 be concurred in.
That Senate amendments to House Bill No. 111 be concurred in.
That House Bill No. 180 do pass.
That House Bill No. 118 do pass.
That House Bill No. 184 do pass.
That House Bill No. 139 do pass.
That House Bill No. 171 be passed for the day.

That House Bill No. 150 be amended as follows: Amend the title in line 3 of the printed bill by striking the words "to go to wife and child" and inserting in lieu thereof the words "shall go to the widow and/or minor child or children"; and by striking out Section 3 in its entirety; and as amended, do pass.

That House Bill No. 202 do pass.
That House Bill No. 140 be passed for the day.

LEAVITT, Chairman.

On motion of Leavitt, report adopted.

The Speaker appointed Kruse, Harwood and Toomey as the special committee to act on the resolution adopted this day to prepare legislation to remedy state institutions exceeding their appropriations.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Committee on Agriculture: A Bill for an Act entitled: "An Act to amend Section 1, Section 2, Section 3, Section 5, Section 6, Section 7, and Section 10 of Chapter 153 of the Laws of Montana of 1931, relating to the regulation and licensing the sale of commercial fertilizer, and providing for the inspection of fertilizer materials, and fixing penalties for violation of the Act."

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed.

Mr. Speaker in the Chair.

MOTIONS AND RESOLUTIONS

It was moved by Peterson of Valley, duly seconded and carried, that House Bill No. 242 be taken from the Committee on Education and be referred to the Committee on Affairs of Cities.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Stevens: A Bill for an Act entitled: "An Act to amend Section 44 of Chapter 148 of the Session Laws of the Twenty-second Legislative Assembly of the State of Montana, as further amended by Chapter 156 of the Session Laws of the Twenty-third Legislative Assembly of the State of Montana, relating to district high schools, rent of quarters and transportation of high school pupils and authorizing a tax levy thereof."

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Leavitt of Custer in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 189, 117, 160, 164, 163, 162, 142, and Substitute House Bills Nos. 36, 51, 6, 11 and 204, and Senate Bills Nos. 19 and 42, recommend the following:

That House Bill No. 189 do pass.

That Substitute House Bill No. 36 be passed for the day.

That Substitute House Bill No. 51 do pass. The Clerk was instructed to change the semi-colon to a comma in line 5, Section 1, of Substitute House Bill No. 51.

That House Bill No. 117 be passed for the day.

That House Bill No. 160 be amended as follows: Amend by striking Section 3 in its entirety; and as amended do pass.

That House Bill No. 164 be amended as follows: Amend by striking Section 3 in its entirety; and as amended do pass.

That House Bill No. 163 be amended as follows: Amend by striking Section 3 in its entirety; and as amended do pass.

That House Bill No. 162 be passed for the day.

That House Bill No. 142 be passed for the day.

That Senate Bill No. 19 be concurred in.

That Senate Bill No. 42 be amended as follows: Amend Section 3 by striking out in line 20 of the original bill the following: "July 1, 1935, following" and as amended, same be concurred in.

That Substitute House Bill No. 6 do pass.

That Substitute House Bill No. 11 do pass.

That Substitute House Bill No. 204 be passed for the day.

LEAVITT, Chairman.

On motion of Leavitt, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

The Speaker,
House of Representatives,
Helena.

I have the honor to advise you that I have this day approved the following House measures:

H. B. No. 50, relating to the admission of wives and widows of soldiers, sailors or marines to the Soldiers' Home.

House Resolution No. 5, requesting the enactment by Congress of the Lundeen Bill, which provides for the establishment of unemployment and social insurance.

F. H. COONEY, Governor.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following considered correctly engrossed: House Bills Nos. 202, 180, 184, 139; and correctly engrossed: House Bill No. 118.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration Senate Bill No. 36, entitled: "An Act to increase labor and promote industry by authorizing building and loan associations, subject to the regulations of the Federal Housing Administrator, to make loans, charges, investments, advances of credit, purchases, sales, contracts for insurance of mortgages and stockholders' accounts and other contracts, as are now, or may hereafter be authorized or provided for in Titles I, II, or IV of an Act of Congress cited as 'National Housing Act' approved by the President on the 27th day of June, A. D. 1934, as well as by any amendment thereof duly passed and approved; exempting such loans, charges, investments, advances of credit, purchases, sales, contracts for insurance of mortgages and stockholders' accounts and other contracts from the operation and application of General Statutes of this state in conflict with said Act and regulations; declaring an emergency," respectfully report as follows: That Senate Bill No. 36 be concurred in.

ACHER, Chairman.

On motion of Acher, report adopted.

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 125, entitled: "An Act to amend Sections Two (2) and Four (4) of Chapter Twenty (20) of the Laws

of 1931 requiring that any board, council, commission, trustees or body acting for the state or any county or municipality or any public body, who shall contract with any person or corporation to do any work for the state, county, municipality or other public body, to require a good and sufficient bond therefor, and providing the terms, conditions and provisions of said bond, and prescribing the liability of the state or any county or municipality or public body for failure to take such bond and repealing all Acts or parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 125 do pass.

BURRIS, Chairman.

On motion of Burris, report adopted.

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 211, entitled: "An Act providing for the establishment and operation of a central accounting department and central accounting system in and for the State of Montana for all departments, bureaus, institutions, boards and other agencies, and providing an appropriation to carry out the provisions of this Act," respectfully report as follows: That House Bill No. 211 do pass.

BURRIS, Chairman.

On motion of Burris, report adopted.

Thereupon the Speaker referred House Bill No. 211 to the Committee on Appropriations.

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 235, entitled: "An Act to amend Section 520 of the Revised Codes of Montana of 1921 as amended by Chapter 146 of the 1933 Session Laws relating to the printing and distribution of reports of state officers," respectfully report as follows: That House Bill No. 235 do pass.

BURRIS, Chairman.

On motion of Burris, report adopted.

Mr. Speaker: We, your Committee on Public Safety, having had under consideration House Bill No. 209, entitled: "An Act to amend Section 2705 of the Revised Codes of Montana, 1921, providing for the appointment, term of employment, compensation, qualifications and duties of electrical inspectors and providing further for the payment of inspection fees," respectfully report as follows: That House Bill No. 209 do pass.

EMMETT, Chairman.

On motion of Emmett, report adopted.

Mr. Speaker: We, your Committee on Public Safety, having had under consideration House Bill No. 144, entitled: "An Act providing for the registration of professional engineers, creating a Board of Engineering Examiners and defining their duties, fixing the fees for registration fund and fixing the penalties for violations," respectfully report as follows: That House Bill No. 144 do pass.

EMMETT, Chairman.

On motion of Emmett, report adopted.

Mr. Speaker: We, your Committee on Public Safety, having had under consideration House Bill No. 255, entitled: "An Act to amend Section 3418, Revised Codes of Montana, 1921, relative to the appointment, term, and compensation of quartz mine inspectors. The said amendment to provide for the election of one such inspector, the appointment of a deputy when necessary and fixing their salaries," respectfully report as follows: That House Bill No. 255 do pass.

EMMETT, Chairman.

On motion of Emmett, report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Doe and Toomey: A Bill for an Act entitled: "An Act requiring the County Assessor annually to value and assess property in his county subject to taxation, and repealing Chapter 110 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana, 1927."

By Padbury, Ormsbee, Boone, Stevens and Lott: A Bill for an Act entitled: "An Act amending the Laws of Montana relating to state lands, providing for the prospecting for and mining of metalliferous minerals and gems in lands owned by the state or reserved in lands sold or leased by the state; empowering the State Board of Land Commissioners to issue prospecting permits and leases for such purposes, and defining the powers of said board with respect to lands containing or supposed to contain such metalliferous minerals and gems, and repealing Sections 48, 49, 50 and 51 of Chapter 60 of the Laws of the Twentieth Legislative Assembly of Montana, constituting Part Five B of said chapter, as amended by Chapter 186 of the Laws of the Twenty-third Legislative Assembly, subject to the rights of permittees and lessees under permits and leases in good standing at the time of the passage of this Act, and repealing all other Acts and parts of Acts in conflict with this Act."

By Committee on Public Safety: A Bill for an Act entitled: "An Act to promote the safe operation of motor vehicles; requiring certain motor vehicles to be equipped with safety glass; defining the terms used in this Act; prescribing the powers and duties of the Registrar of Motor Vehicles and the Public Service Commission in relation to the administration of this Act; authorizing the refusal of motor vehicle licenses and permits in certain cases and providing penalties for the violation of this Act."

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF THE SAME

The following bill was introduced, read first and second time and referred to the Committee on State Boards and Officers:

House Bill No. 256, introduced by Burris: A Bill for an Act entitled: "An Act to amend Sections 4462 and 4464, Revised Codes, Montana, 1921, relating to the meetings and compensation of Boards of County Commissioners."

MOTIONS AND RESOLUTIONS

Without objection, the Committee on Townships and Counties were given an extension of time on House Bill No. 183.

It was moved by Stevens, duly seconded and carried, that Substitute House Bill No. 204 be taken from General Orders and referred to the Committee on Appropriations.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Monday, 10:30 o'clock A. M., February 11th, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:
JOHN J. JEWELL, Chief Clerk.

THIRTY-SIXTH DAY

House of Representatives,
Helena, Montana, February 11th, 1935.

House convened, pursuant to adjournment, at 10:30 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present, except the following who were excused: Manning, Moss.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the thirty-fourth legislative day, find the same to be correct.

QUIGLEY, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 43, 108, 109 and 110, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11:15 o'clock A. M. delivered to the Governor for his approval.

MONAHAN, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing, beg leave to report the following correctly printed: House Bills Nos. 175 and 135.

McCAUSLAND, Chairman.

Without objection, report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Toomey: A Bill for an Act entitled: "An Act providing for the appointment of official motor vehicle inspection stations in the State of Montana under the State Highway Commission, eligibility for such appointment, providing for periodical inspection of motor vehicles, trucks, trailers and semi-trailers and for the operation of official inspection stations, requiring owners and drivers of such vehicles to comply with the provisions of this Act providing for the enforcement and administration thereof through the State Highway Commission, and making any violation of this Act a misdemeanor."

By Burris and Holding: A Bill for an Act entitled: "An Act amending Section 1 of Chapter 179 of the Laws of the Twenty-second Legislative Assembly of the State of Montana of 1921; relating to the office of County Surveyors of each county; defining the powers and duties of County Surveyor; and providing for salaries."

By Nutting, by request: A Bill for an Act entitled: "An Act to amend Section 7252 of the Revised Codes of Montana, 1921, and validating bonds, warrants and other evidences of indebtedness heretofore issued by any irrigation district in the State of Montana."

By Emmons and Burris: A Bill for an Act entitled: "An Act to amend Section 1760 of the Revised Codes of Montana for 1921, as amended by Section 1 of Chapter 103, of the Montana Session Laws of 1933, and to repeal Section 3, of Chapter 158, Session Laws of 1931, and amending Chapter 38 of the Extraordinary Session Laws of the Twenty-third Legislative Assembly of the State of Montana, relating to registration and registration fees of motor vehicles and dealers thereof, and distribution of the revenue received therefrom."

By Emmons: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 16 of the Session Laws of 1929, relating to the qualifications of police officers in the cities and towns in the State of Montana."

By Stimatz: A Bill for an Act entitled: "An Act relative to the prevention of the use of advertising defamatory to women or that would in any way expose the same to contempt, ridicule or defamation."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 204, entitled: "An Act to amend Sections 12102 and 12103, Revised Codes of Montana, 1921, relating to punishment of death, how inflicted, providing for the use of lethal gas," respectfully report as follows: That House Bill No. 204 do pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 248, entitled: "An Act to appropriate money for the administration, operation and maintenance of the Montana Aeronautics Commission for the period beginning April 1, 1935, and ending June 30, 1937," respectfully report as follows: That House Bill No. 248 be re-referred to the Committee on Aviation for consideration, with the request that when the bill has been recommended by said committee, it be re-referred to the Committee on Appropriations for final action."

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 174, entitled: "An Act declaring the purpose of the State of Montana to engage in the banking business and establish a system of banking under the name of the Bank of Montana operated by the state, and defining the scope and manner of its operation and the powers and duties of the persons charged with its management; making an appropriation therefor; and providing penalties for the violation of certain provisions thereof," respectfully report as follows: That House Bill No. 174 be re-referred to the Committee on Banks and Banking for consideration with the request that when the bill has been recommended by said committee, it be re-referred to the Committee on Appropriations for final action.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 152, entitled: "An Act providing for the creation of a State Planning Board for the State of Montana and prescribing the powers and duties of said board; providing for the method for the appointment of the members thereof and making an appropriation therefor; and repealing Chapter 39 of the Extraordinary Session Laws of the Twenty-third Legislative Assembly," respectfully report as follows: That House Bill No. 152 be re-referred to the Committee on Water Conservation and Flood Control for consideration with the request that when the bill has been recommended by said committee, it be re-referred to the Committee on Appropriations for final action.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Joint Resolution No. 4, entitled: "Directing the Governor to proclaim October 11th of each year 'General Pulaski's Mem-

orial Day' for the observance and commemoration of the death of Brigadier General Casimir Pulaski," respectfully report as follows: That House Joint Resolution No. 4 do not pass.

KELLY, Chairman.

On motion of Kelly, report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 236, entitled: "An Act providing for the enforcement of the laws governing the grading of hay in the State of Montana; providing for the inspection thereof and conferring certain powers and duties upon the Commissioner of Agriculture, Labor and Industry, and repealing Section 4231 of the Session Laws of 1931, and all other Acts conflicting herewith," respectfully report as follows: That House Bill No. 236 do pass.

CHAPMAN, Chairman.

On motion of Chapman, report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 237, entitled: "An Act to amend Section 4230 of the Revised Codes of Montana, 1921, relating to the sale of hay," respectfully report as follows: That House Bill No. 237 do pass.

CHAPMAN, Chairman.

On motion of Chapman, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day concurred in the House amendments to S. B. Nos. 15 and 65, on roll call.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Senate Committee on Elections and Privileges, reports adopted, and bills are herewith returned to the House.

H. B. No. 21, by Parker.

H. B. No. 149, by Stimatz.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and bills are herewith returned to the House.

H. B. No. 83, by Burris.

H. B. No. 101, by Judiciary Committee.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that the messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced in the Senate, read first and second time, and referred to committees:

H. B. No. 86, by Committee on Public Health and Sanitary Affairs, by request, to Sanitary Affairs.

H. B. No. 130, by Anderson and Quigley, to Judiciary.

H. B. No. 182, by Groene, by request, to Judiciary.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time, and referred to committees:

S. B. No. 93, by Nass and Benjamin: A Bill for an Act entitled: "An Act defining and prohibiting discrimination in the sale of merchandise within the State of Montana; providing punishment for the violation of this Act; declaring rules of evidence in prosecution under this Act; authorizing the recovery of damages for a violation of this Act; defining the duties of the Attorney General in relation to this Act; defining terms used in this Act; and repealing all Acts and parts of Acts in conflict herewith." To Judiciary Committee.

S. B. No. 94, by Benjamin: A Bill for an Act entitled: "An Act to amend Section 4771 of the Revised Codes of Montana of 1921, relating to the duties of State Examiner and County Clerk." To State Boards and Offices.

S. B. No. 95, by Blankenbaker: A Bill for an Act entitled: "An Act requiring the State Board of Land Commissioners to give credit on all grazing leases of state lands to lessees who paid the rentals for the year beginning March 1, 1933, at the rate providing by law before the effective date of Chapter 42 of the Session Acts of the Twenty-third Legislative Assembly of 1933, for an amount equal to the reduction in such rates effected by said Act." To Public Lands.

S. B. No. 96, by Lamp and Simmons: A Bill for an Act entitled: "An Act providing for the consolidation of county offices, for the filing of petitions asking for such consolidation and prescribing and defining the powers and duties of Boards of County Commissioners in connection therewith." To Counties and Towns.

S. B. No. 97, by Campbell and Pauline: A Bill for an Act entitled: "An Act to amend Section 9427 of the Revised Codes of Montana of 1921, relating to exemptions of property from execution and repealing Chapter 120 of the Session Acts of the Twenty-third Legislative Assembly of 1933, and all other Acts in conflict herewith." To Judiciary.

S. B. No. 98, by Oliver: A Bill for an Act entitled: "An Act amending Section 1999 of the Revised Codes of Montana of 1921, relating to the classification of property for taxation." To Taxation.

S. B. No. 99, by Oliver: A Bill for an Act entitled: "An Act relating to taxation requiring the payment of taxes on all state, county, school district and other municipal bonds, warrants and securities, before principal or interest thereon is paid; and requiring the presentation of evidence of tax payment by holders of such securities." To Taxation.

S. B. No. 100, by Oliver: A Bill for an Act entitled: "An Act authorizing the issuance of free Class A hunting and fishing license to veterans receiving compensation for disability incurred in the military or naval service of the United States; and specifying the procedure for the issuance of such license." To Fish and Game.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motion by Senator Cooper was this day duly seconded and on motion, referred to the Rules Committee:

"Mr. President: I hereby move to amend Joint Rule No. 22 of the Senate and House of Representatives relating to the pairing of votes to read as follows:

"No. 22. Pairs. A pair may be signed by any two members and filed with the Secretary of the Senate or the Clerk of the House as the case may be. Such pair shall state how each member signing the same would have voted in the absence of such pairing, and the roll call upon any measure under consideration, shall show how such members would have voted. The pair shall bind both members signing the same until the expiration of the time for which it was given, unless both members shall sooner appear before the House in which the pair was filed and ask that it be cancelled."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Danielsen: A Bill for an Act entitled: "An Act to amend Section 4836 of the Revised Codes of Montana of 1921, relating to duties of the County Surveyor; defining the scope and effect of this Act and repealing all Acts and parts of Acts in conflict herewith."

By Danielsen: A Bill for an Act entitled: "An Act to amend Section 182, Revised Codes of Montana, 1921, as amended by Chapter 180 of the Session Acts of the Twenty-first Legislative Assembly of Montana of 1929 relating to deposits of state funds."

By Church and Meyer: A Bill for an Act entitled: "An Act to repeal Section 1 of Chapter 196, Session Laws of 1931, relating to the use of the labor of male prisoners in the Montana State Prison for the manufacture of common brick and cement sand brick, and to the use of the labor of male inmates in the Montana State Hospital for the insane for the manufacture of cement sand brick."

By Meyer: A Bill for an Act entitled: "An Act to repeal Sections 5697 and 5724, Revised Codes of Montana, of 1921, and to amend Section 5695, Revised Codes of Montana, of 1921, and to prohibit common law marriages in Montana."

By Meyer: A Bill for an Act entitled: "An Act to amend Section 8868 of the Revised Codes of Montana of 1921, relating to the disqualification of Judges in civil and criminal actions."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Governor this day advised the Senate that he had approved:

- S. B. No. 7.
- S. B. No. 20.
- S. B. No. 23.
- S. B. No. 35.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Printing: That S. B. Nos. 45 and 83 have been correctly printed, report adopted.

Taxation: That H. B. No. 80 be concurred in.

That H. B. No. 178 be amended in Section 1, subdivision 2, page 2, line 4, by striking out the period at the end of the sentence and by adding the following: "not conducted for private gain." And as so amended, be concurred in;

Reports adopted.

Education: That H. B. No. 102 be concurred in;

That H. B. No. 77 be concurred in;

Reports adopted.

Elections and Privileges:

That H. B. No. 72 be concurred in;

That H. B. No. 149 be not concurred in;

That H. B. No. 21 be not concurred in;

Reports adopted.

Federal Relations:

That H. J. M. No. 4 be concurred in;

That S. J. R. No. 5 do pass;

Reports adopted.

Mines and Mining:

That S. J. M. No. 1 do pass, report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion of Meyer, duly seconded and carried, consideration of S. B. No. 62 on General File, was passed for the day.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day gave notice that he was about to sign and did sign in open session:

H. B. No. 43.

H. B. No. 108.

H. B. No. 109.

H. B. No. 110.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That consideration of S. B. No. 67 be passed for the day.

That consideration of S. B. No. 75 be passed for the day.

That S. B. No. 77 do pass.

That S. B. No. 78 do pass.

That further consideration of S. B. No. 80 be indefinitely postponed.

That further consideration of S. B. No. 81 be indefinitely postponed.

That S. B. No. 84 do pass.

That S. B. No. 55 be re-referred to Taxation Committee.

That H. B. No. 103 be amended in Section 1 by striking out in line 12, printed bill, as amended by committee, the words and figures, "four per centum (4%)", and inserting in lieu thereof the words and figures "two per centum (2%)";

Also by striking out in lines 15 and 16, as amended by committee, the words and figures, "four per centum (4%)", and inserting in lieu thereof the words and figures, "two per centum (2%)";

And as so amended, recommend said H. B. No. 103 be concurred in.

That H. B. No. 104, 105, 106, 112, 34, 64, H. J. M. No. 6 be concurred in.

That H. B. No. 99 be amended in Section 1, Sub-Division 5 by adding in line 27 after the words, "stockgrowers' associations," the words, "grazing associations";

And as amended, recommend said H. B. No. 99 be concurred in.

That H. B. No. 100 be amended in Section 1 by striking out in lines 8 and 9, printed bill, as amended by committee, the words and figures, "four per centum (4%)", and inserting in lieu thereof the words, "two per centum (2%)";

Also by striking out in line 13, as amended by committee, the words and figures, "four per centum (4%)", and inserting in lieu thereof the words and figures, "two per centum (2%)";

And as so amended, recommend said H. B. No. 100 be concurred in.

That H. B. No. 127 be amended by striking out in Section 1, line 2, the word "five," and inserting in lieu thereof the word "six"; and as so amended, recommend said H. B. No. 127 be concurred in.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that the House reconsider its action taken Saturday on Senate Amendments on House Bill No. 63.

It was moved by Byrne, duly seconded and carried, that Senate amendments to House Bill No. 63 be placed on General Orders.

It was moved by Fowler, duly seconded and carried, that House Bill No. 125 be recalled from the Committee on Printing and re-referred to the Committee on State Boards and Officers.

By unanimous consent of the House, Fowler of Yellowstone was granted permission to introduce two appropriation bills without previous notice.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF THE SAME

The following were introduced, read first and second time and referred to committees; all appropriation measures having been read at length:

House Bill No. 257, introduced by Stevens: A Bill for an Act entitled: "An Act to amend Section 44 of Chapter 148 of the Session Laws of the Twenty-second Legislative Assembly of the State of Montana, as further

amended by Chapter 156 of the Session Laws of the Twenty-third Legislative Assembly of the State of Montana, relating to district high schools, rent of quarters and transportation of high school pupils and authorizing a tax levy thereof." Referred to Committee on Education.

House Bill No. 258, introduced by Committee on Public Safety: A Bill for an Act entitled: "An Act to promote the safe operation of motor vehicles; requiring certain motor vehicles to be equipped with safety glass; defining the terms used in this Act; prescribing the powers and duties of the Registrar of Motor Vehicles and the Public Service Commission in relation to the administration of this Act; authorizing the refusal of motor vehicle licenses and permits in certain cases and providing penalties for the violation of this Act." Referred to Committee on Public Safety.

House Bill No. 259, introduced by Stevens: A Bill for an Act entitled: "An Act to permit the payment of delinquent taxes, assessments, penalties and interest on real estate and certain personal property by installment payments, and repealing all Acts and parts of Acts in conflict therewith." Referred to Committee on Revenue and Taxation.

House Bill No. 260, introduced by Committee on Dairying: A Bill for an Act entitled: "An Act levying a license tax on all butterfat purchased in connection with the operation of creameries, cheese factories, ice cream factories, condensed milk factories and milk and cream buying and receiving stations." Referred to Committee on Dairying.

House Bill No. 261, introduced by Padbury, Ormsbee, Boone, Stevens and Lott: A Bill for an Act entitled: "An Act amending the Laws of Montana relating to state lands, providing for the prospecting for and mining of metalliferous minerals and gems in lands owned by the state or reserved in land sold or leased by the state; empowering the State Board of Land Commissioners to issue prospecting permits and leases for such purposes, and defining the powers of said board with respect to lands containing or supposed to contain such metalliferous minerals and gems, and repealing Sections 48, 49, 50 and 51 of Chapter 60 of the Laws of the Twentieth Legislative Assembly of Montana, constituting Part Five B of said Chapter, as amended by Chapter 186 of the Laws of the Twenty-third Legislative Assembly, subject to the rights of permittees and lessees under permits and leases in good standing at the time of the passage of this Act, and repealing all other Acts and parts of Acts in conflict with this Act." Referred to Committee on State Lands.

House Bill No. 262, introduced by Committee on Agriculture: A Bill for an Act entitled: "An Act to amend Section 1, Section 2, Section 3, Section 5, Section 6, Section 7, and Section 10 of Chapter 153 of the Laws of Montana of 1931, relating to the regulation and licensing the sale of commercial fertilizer, and providing for the inspection of fertilizer materials, and fixing penalties for the violation of the Act." Referred to Committee on Agriculture.

House Bill No. 263, introduced by Stimatz: A Bill for an Act entitled: "An Act relative to the employment by the House of Representatives of House Reporters; defining their duties; and restricting the criticism of speeches of members of the House of Representatives by newspapers and other publications." Referred to Committee on Judiciary.

House Bill No. 264, introduced by Doe and Toomey: A Bill for an Act entitled: "An Act requiring the County Assessor annually to value and assess property in his county subject to taxation, and repealing Chapter 110 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana, 1927." Referred to Committee on Townships and Counties.

House Bill No. 265, introduced by Stromnes: A Bill for an Act entitled: "An Act to amend Section 1010 Revised Codes of Montana, 1921 as amended by Chapter 70 of the Session Laws of the Eighteenth Legislative Assembly of 1923, as further amended by Chapter 76 of the Nineteenth Legislative Assembly, 1925, as further amended by Chapter 77, of the Twentieth Legislative Assembly, 1927, as further amended by Chapter 102 of the Twenty-first Legislative Assembly, 1929, relating to transportation, board, rent, tuition of pupils of any school district or districts of the State of Montana, and providing for furnishing transportation, rent, board and tuition for such pupils and providing for appeal, and provided further that the Board of Trustees of any school district of the first class may at their discretion let a contract for the transportation of pupils in said district subject to the provisions hereinabove contained for a period not to exceed three consecutive school terms." Referred to Committee on Education.

House Bill No. 266, introduced by Workmen's Compensation Committee, by request: A Bill for an Act entitled: "An Act permitting injured workmen or public officer to file claim for compensation for alleged industrial accident injury and disability after the expiration of six months from the date of the happening of the accident, injury and disability and permitting notice thereof to be deemed given." Referred to Committee on Workmen's Compensation.

House Bill No. 267, introduced by Leavitt: A Bill for an Act entitled: "An Act to amend Sections 9397 and 9398, Revised Codes of Montana, 1921, relative to when new trials may be granted and on what papers motions can be made." Referred to Committee on Judiciary.

House Bill No. 268, introduced by Stromnes: A Bill for an Act entitled: "An Act to amend Section 3842 of the Revised Codes of Montana of 1921, relating to the maintenance of signal bells at railroad crossings." Referred to Committee on Railroads and Transportation.

House Bill No. 269, introduced by Ritch and Haight, by request: A Bill for an Act entitled: "An Act to amend Section 6339 of the Revised Codes of Montana of 1921, as amended by Chapter 55 of the Session Laws of the 22nd Legislative Assembly of the State of Montana, relating to the payment of death and annuity benefits upon the lives of children; providing for the organization and operation of a branch of the society for children, and providing for the amount of benefits thereunder." Referred to Committee on Insurance.

House Bill No. 270, introduced by Emmons: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 16 of the Session Laws of 1929, relating to the qualifications of police officers in the cities and towns in the State of Montana." Referred to Committee on Affairs of Cities.

House Bill No. 271, introduced by Toomey, by request: A Bill for an Act entitled: "An Act to amend Section 5085 of the Revised Codes of Montana of 1921, relating to the funding of judgments rendered against cities and towns." Referred to Committee on Affairs of Cities.

House Bill No. 272, introduced by Kelly: A Bill for an Act entitled: "An Act to amend Section 3697 of the Revised Codes of Montana, 1921, as amended by Chapter 192 of the Laws of the Nineteenth Legislative Assembly of the State of Montana, 1925, Chapter 59 of the Laws of the Twentieth Legislative Assembly of the State of Montana, 1927, Chapter 152 of the Laws of the Twenty-second Legislative Assembly of the State of Montana, 1931, and again amended by Chapter 123 of the Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933, relating to open season for deer, and providing penalties for the violation thereof." Referred to Committee on Fish and Game.

House Bill No. 273, introduced by Burris and Holding: A Bill for an Act entitled: "An Act amending Section 1 of Chapter 179 of the Laws of the Twenty-second Legislative Assembly of the State of Montana of 1921; relating to the office of County Surveyors of each county; defining the powers and duties of County Surveyor; and providing for salaries." Referred to Committee on State Boards and Officers.

House Joint Resolution No. 5, introduced by Sexton: "Memorializing the United States Senate to ratify at the instant Session of Congress the treaty between the United States of America and the Dominion of Canada for the building of the Great Lakes-St. Lawrence Seaway." Referred to Committee on Federal Relations.

House Bill No. 274, introduced by unanimous consent without previous notice, by the Committee on Appropriations: A Bill for an Act entitled: "An Act appropriating money for refunding the sum of One Hundred Thirty and No/100 Dollars (\$130.00) to the Columbia Casualty Company, a corporation." Referred to Committee on Appropriations.

House Bill No. 275, introduced by unanimous consent without previous notice, by the Committee on Appropriations: A Bill for an Act entitled: "An Act appropriating money to pay a judgment of the Supreme Court of Montana in the sum of Five Thousand Three Hundred and Twenty-seven Dollars and Five cents, with interest thereon from April 27, 1933, at the rate of six per cent per annum until paid, rendered and entered on April 27, 1933, against the State of Montana." Referred to Committee on Appropriations.

House Bill No. 276, introduced by Leavitt: A Bill for an Act entitled: "An Act relative to the establishment of water rates by a water plant owned by a city without the consent of the Public Service Commission." Referred to Committee on Affairs of Cities.

THIRD READING OF SENATE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 19, introduced by Committee on Federal Relations, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelley, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 98.

Noes: None.

Absent and not voting: Manning, Moss, Peterson (Valley), Southmayd. Total 4.

The Speaker: Ninety-eight have voted "aye", none have voted "no"; Senate Bill No. 19 has been concurred in by the House.

Senate Bill No. 42, introduced by Meyer and Pauline, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Hedden, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Ritch, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 95.

Noes: None.

Absent and not voting: Byrne, Heavlin, Holding, Manning, Moss, Peterson (Valley), Rolph. Total 7.

The Speaker: Ninety-five have voted "aye", none have voted "no"; Senate Bill No. 42 has been concurred in by the House.

It was moved by Byrne, duly seconded and carried, that the House recess until 1:30 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Nelson and Metlen: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 171 of the Session Laws of the State of Montana of 1933, relating to the leasing of state lands for oil and gas development."

By Leavitt: A Bill for an Act entitled: "An Act authorizing the Montana Liquor Control Board to issue "hotel licenses"; to permit the sale of liquor to be consumed on the premises; defining the terms "hotel, restaurant, cafe and cafeteria" and other terms used in the Act; fixing the amount of license fees therefor; prescribing the hours during which liquors may be sold; prohibiting the sale of liquors to minors, and other designated persons; authorizing the Montana Liquor Control Board to prescribe rules and regulations under, and by which, the hotel license may be conducted; prohibiting the sale or traffic in any liquors other than purchased at state liquor stores, and providing for the issuance of permits to hotels to purchase supplies from said liquor stores and providing penalties for the violation thereof."

By Committee on Military Affairs, Kelly, Chairman: A Bill for an Act entitled: "An Act providing educational opportunities for the children of soldiers, sailors, and marines who were killed in action or died during the World War."

By Lasby: A Bill for an Act entitled: "An Act to provide for the sale of spiritous and vinous liquors at wholesale by the State of Montana; creating the Montana Liquor Control Board, and providing for the operation thereof; providing for the issuance of licenses for the retail sale of such liquors in the State of Montana and providing for the distribution of

moneys collected hereunder for schools, emergency relief, old age pensions and other purposes and validating any action of the Montana State Liquor Control Board prior to the passage of this Act."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 61 and 96, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 1 o'clock P. M., delivered to the Governor for his approval.

MONAHAN, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bills Nos. 150, 163, 164, 189 and 79. Substitute House Bill No. 51.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following considered correctly engrossed: Substitute House Bill No. 6 and Substitute House Bill No. 61.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 40, entitled: "An Act to amend Section 8289, Revised Codes of Montana, 1921, relating to acknowledgments of satisfaction of chattel mortgages; providing for the filing thereof in the office of the Secretary of State," respectfully report as follows: That House Bill No. 40 do not pass, but that Substitute House Bill No. 40 do pass.

ACHER, Chairman.

On motion of Acher, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 39, entitled: "An Act to amend Sections 8276, 8277, 8278, 8279 and 8280 of the Revised Codes of Montana, 1921, relating to chattel mortgages, and providing for a central filing and reporting system, for chattel mortgages, and for the expiration of the lien of chattel mortgages, as to all persons, and amending Section 145 of the Revised Codes of Montana, 1921, relating to the fees of the Secretary of State in connection therewith," respectfully report as follows: That House Bill No. 39 do not pass, but that Substitute House Bill No. 39 do pass.

ACHER, Chairman.

On motion of Acher, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Leavitt, duly seconded and carried, that consideration of House Bill No. 140 be passed for the day.

It was moved by Foor, duly seconded and carried, that Substitute House Bill No. 36 be re-referred to the Judiciary Committee.

The following resolution was adopted.

RESOLUTION

WHEREAS, Attention has been directed to the fact that prior to the last primary and general election certain public utilities and other corporations in this state were active in an effort to defeat certain candidates for the legislature and other important state offices; and

WHEREAS, It is alleged that these public utilities and other corporations spent large sums of money in sending paid agents into different parts of the state to work against certain candidates; and

WHEREAS, There is no public record, as required by the Corrupt Practice Act of this state, of any of these alleged expenditures; and

WHEREAS, It is asserted that certain utilities of this state, or officers or employees thereof, own and control certain newspapers within the state, with a view to controlling publicity favorable to their pecuniary interests, which papers, it is alleged, are published at great loss; and

WHEREAS, There are pending and being prepared certain Acts of the Legislative Assembly intended to remedy these conditions and it is therefore necessary that the Assembly be informed as to all the facts in these various matters, in order that it may act upon the basis of adequate information and for the best interests of the people of the State of Montana; and

WHEREAS, It seems advisable that the House of Representatives appoint a committee to make an investigation and report its findings back to the House, in order that well-considered and intelligent legislation on the subject may be enacted, if deemed necessary;

NOW, THEREFORE, BE IT RESOLVED By the House of Representatives of the Twenty-fourth Legislative Assembly of the State of Montana, that the Speaker be, and he is hereby authorized to appoint a committee of five (5) to make such an investigation as may be deemed advisable for the ascertaining of the true facts relative to the matters mentioned herein above and recommend any legislation or any necessary amendments to the present Laws which will be beneficial to the people of the State of Montana.

BE IT FURTHER RESOLVED: That the committee shall forthwith organize and that it shall be given all the necessary facilities of the House in the way of equipment, clerical and other assistance, and that said committee shall keep full record of its proceedings and investigations and render to the House full comprehensive reports of its findings and recommendations at such times as it may deem proper.

BE IT FURTHER RESOLVED: That such committee shall be authorized to employ necessary aid for ascertaining the facts desired and shall be authorized and empowered to subpoena all necessary witnesses and to take such testimony as it may deem proper and necessary, under oath upon the matters mentioned herein above and possible remedies, and said committee is hereby authorized to incur such expense as may be necessary to properly conduct such investigation, in an amount not to exceed Five Hundred Dollars (\$500.00), unless further sums for the purpose be authorized by the House.

BE IT FURTHER RESOLVED: That such committee be authorized and empowered to require the attendance of any and all witnesses necessary to the performance of its duty and such committee is authorized and empowered, through its chairman, to issue subpoenas to require the attendance of any person or persons to testify under oath and to produce, for examination by said committee, any books, papers and other documentary evidence, of any nature or character, under control of such person or per-

ons or corporations, and said committee is authorized and empowered to require the sheriff of any county of the State of Montana to serve subpoenas issued by it.

BE IT FURTHER RESOLVED: That all items of expense be returned by said committee with its report and that, upon the presentation to him of a proper voucher, signed by the chairman of the said committee to the Speaker of the House, the Sergeant-at-Arms be, and he is hereby instructed and authorized to pay any and all expenses necessarily incurred by said committee in an amount not exceeding Five Hundred Dollars (\$500.00), except as may be further authorized by the House.

FOWLER.

It was moved by Haight, duly seconded and carried, that the Carey Committee be authorized to receive an appropriation up to the amount of \$500.00, said amount to be used only for expenses necessarily incurred in the course of their investigation.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF THE SAME

The following were introduced, read first and second time and referred to the Committee on Printing:

Substitute House Bill No. 39, introduced by Committee on Banks and Banking: A Bill for an Act entitled: "An Act to amend Sections 8276, 8277, 8278, 8279 and 8280 of the Revised Codes of Montana, 1921, relating to chattel mortgages, and providing for a central filing and reporting system in the office of the Secretary of State, for chattel mortgages, assignments thereof, and affidavits of renewal thereof, and for the expiration of the lien of chattel mortgages as to all persons, and providing for the charging and collecting of fees by the Secretary of State in connection therewith."

Substitute House Bill No. 40, introduced by Committee on Banks and Banking: A Bill for an Act entitled: "An Act to amend Section 8289, Revised Codes of Montana, 1921, relating to acknowledgment of satisfaction of chattel mortgages; providing for the filing thereof in the office of the Secretary of State."

THIRD READING OF SENATE BILLS

Senate Bill No. 1, introduced by Parkin and Melton, having been read three several times, history and title agreed to, was concurred in by the following vote:

Ayes: Acher, Anderson, Balgord, Bertsche, Busch, Buttelman, Byrne, Doe, Ecton, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Joffray, Johnson, Kathan, Kelly, Kruse, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Metlen, Miller (Big Horn), Minette, Moss, Mundy, Nelson, Nutting, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Rolph, Scofield, Smith, Southmayd, Stimatz, Stromnes, Toomey, Watson, White (Judith Basin), White (Hill), Worden. Total 60.

Noes: Ahlgreen, Ballard, Boone, Brennan, Burris, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Egan, Emmett, Emmons, Ewing, Foor, Hamilton, Hinerman, Kuhl, Lasby, Leary, McLaughlin, Masterson, Miller (Roosevelt), Mitchell, Monahan, Mulholland, Neary, O'Brien, O'Byrne, Ormsbee, Peterson (Valley), Ritch, Ryan, Sexton, Sherman, Spiegel, Stevens, Whaley, York. Total 40.

Absent and not voting: Manning.

The following passed their vote: Mr. Speaker.

The Speaker: Sixty have voted "aye", forty have voted "no"; Senate Bill No. 1 has been concurred in by the House.

MOTIONS AND RESOLUTIONS

The following resolution was adopted:

To the Honorable Senate and House of Representatives of the United States of America in Congress Assembled:

WHEREAS, A most serious emergency has arisen in the State of Montana and other states of the Union, due to the expiration of the time for which Federal relief is available, and

WHEREAS, Immediate action by the Congress of the United States seems the only way to meet this emergency and avoid suffering and distress that will prove a menace to the peace of the nation;

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA, That the Congress of the United States of America is hereby memorialized to pass immediately the appropriation bill now pending, as the present relief funds will be exhausted on February 15th and that relief funds be made immediately available for the use of the several states.

BE IT FURTHER RESOLVED, That we send copies of this memorial, by wire, to the Senators and Representatives from Montana and to the Federal Relief Administrator.

CHARLES L. STEVENS,
Chairman, Committee on Federal Relations.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Pilgeram and Others, by request: A Bill for an Act entitled: "An Act appropriating money to carry out the intent and purpose of House Joint Memorial No. 3 of the Twenty-first Legislative Assembly providing for the erection of a statue or bronze memorial of Charles Marion Russell in the Statuary Hall of the Capitol Building in Washington, D. C."

By Ritch: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 17 of the Acts of the Legislative Assembly of the State of Montana, as amended by Section 1 of Chapter 168 of the Acts of the Twenty-first Legislative Assembly of the State of Montana, and by Section 1 of Chapter 175 of the Acts of the Twenty-second Legislative Assembly of the State of Montana; providing a method by which refund or drawback may be obtained of license taxes paid on gasoline handled, and prescribing the procedure for obtaining refund or drawback."

By Smith: A Bill for an Act entitled: "An Act to amend Section 31, of Chapter 106, of the Session Laws of 1933, as amended by Section 11, of Chapter 46, of the Laws of the Extraordinary Session of the Twenty-third Legislative Assembly, 1933, relating to the regulation and sale of beer, and prohibiting the sale thereof to minors."

By Smith: A Bill for an Act entitled: "An Act to amend Section 19, of Chapter 181, Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933, relating to an Act providing for the levy and collection of an income tax, and eliminating the filing fee therefrom."

By O'Brien, Ryan, Spiegel, O'Byrne, Goodwin: A Bill for an Act entitled: "An Act requiring license for the operation, maintenance, or establishment of any place of business, wholesale, or retail, bank, or banks, store, or stores, grain elevator or elevators, meat market, or meat product

markets, gasoline station, or gasoline stations, lumber yard, or lumber yards, whether selling and buying lumber and lumber products exclusively or not, and mercantile establishments of every kind and character, in this state, prescribing the license and filing fees to be paid therefor; and providing for the collection and disposition thereof, and the powers and duties of the State Director of Licenses, or State Treasurer in connection therewith, and prescribing penalties for the violation thereof; and declaring unlawful the operation, maintaining, opening or establishment of stores without a license; defining certain terms; providing for renewals of licenses; providing that the revenue derived shall be deposited fifty per cent (50%) in the old age pension fund of Montana, which may now be in existence, or, which may hereafter be created and fifty per cent (50%) in the general fund of the State of Montana."

THIRD READING OF HOUSE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

House Bill No. 65, introduced by Peterson of Gallatin, was passed by the following vote:

Ayes: Anderson, Balgord, Bertsche, Boone, Busch, Buttelman, Chamberlain, Coultas, Cusick, Ecton, Egan, Ewing, Foor, Goodwin, Gray, Green (Dawson), Groene (Fergus), Haight, Hamilton, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Lasby, Leary, Leavitt, Lemmer, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Minette, Moss, Mundy, Nelson, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Sherman, Smith, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Hill), Worden. Total 60.

Noes: Acher, Ahlgreen, Ballard, Brennan, Burris, Byrne, Chapman, Conner, Connors, Doe, Emmett, Emmons, Gordon, Hall, Harlen, Kuhl, Liggett, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Mulholland, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Ritch, Ryan, Scofield, Sexton, Southmayd, Spiegel, White (Judith Basin), York, Mr. Speaker. Total 37.

Absent and not voting: Fowler, Kruse, Manning, Metlen, Monahan. Total 5.

The Speaker: Sixty have voted "aye," thirty-seven have voted "no"; House Bill No. 65 has passed the House.

House Bill No. 118, introduced by Metlen, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Coultas, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Byrne, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Ritch, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), Worden, York, Mr. Speaker. Total 90.

Noes: White (Hill).

Absent and not voting: Conner, Cusick, Fowler, Logan, Lovell, Manning, Minette, O'Brien, Ormsbee, Rolph. Total 10.

The following passed his vote: Peterson (Valley).

The Speaker: Ninety have voted "aye," one has voted "no"; House Bill No. 118 has passed the House.

House Bill No. 202, introduced by Toomey, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Conner, Connors, Coultas, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Whaley, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 91.

Noes: Stromnes, Watson, Worden. Total 3.

Absent and not voting: Byrne, Chapman, Cusick, Logan, Manning, Minette, Moss, Rolph. Total 8.

The Speaker: Ninety-one have voted "aye," three have voted "no"; House Bill No. 202 has passed the House.

House Bill No. 184, introduced by Lemmer, was defeated by the following vote:

Ayes: Acher, Bertsche, Burris, Chamberlain, Connors, Emmons, Goodwin, Green (Dawson), Groene (Fergus), Hall, Harwood, Heavlin, Holding, Joffray, Kathan, Lemmer, Lippard, Lovell, Nelson, Ormsbee, Ryan, Scofield, Smith, Southmayd, Stevens, Stromnes, Toomey, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 31.

Noes: Ahlgreen, Anderson, Balgord, Brennan, Buttelman, Conner, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Ewing, Foor, Fowler, Gray, Haight, Hamilton, Harlen, Haugan, Hedden, Hinerman, Johnson, Kelly, Kuhl, Lasby, Leary, Leavitt, Liggett, Logan, Lott, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Monahan, Moss, Mulholland, Nutting, O'Brien, O'Byrne, O'Connor, Padbury, Parker, Peterson (Gallatin), Quigley, Rolph, Sexton, Sherman, Stimatz, Watson, Whaley, Worden. Total 55.

Absent and not voting: Ballard, Chapman, Gordon, Kruse, Manning. Total 5.

The following passed their vote: Boone, Busch, Byrne, McCausland, Mitchell, Mundy, Neary, Petersen (Sheridan), Peterson (Valley), Ritch, Spiegel. Total 11.

The Speaker: Thirty-one have voted "aye," fifty-five have voted "no"; House Bill No. 184 has failed to pass the House.

House Bill No. 180, introduced by Committee on Fairs and Expositions, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Conner, Connors, Coultas, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Monahan, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Sco-

field, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stromnes, Toomey, Whaley, White (Judith Basin), White (Hill), York. Total 87.

Noes: Hall, Leavitt, Nelson, Stimatz, Watson, Worden, Mr. Speaker. Total 7.

Absent and not voting: Chapman, Cusick, Logan, Manning, Minette, Mitchell, Moss, Padbury. Total 8.

The Speaker: Eighty-seven have voted "aye," seven have voted "no"; House Bill No. 180 has passed the House.

House Bill No. 139, introduced by Lemmer, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Rolph, Scofield, Sexton, Sherman, Smith, Southmayd, Stevens, Stimatz, Stromnes, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 88.

Noes: Nelson, Ryan, Spiegel. Total 3.

Absent and not voting: Ballard, Fowler, Gray, Haight, Kruse, Manning, Moss, Peterson (Valley), Ritch, Toomey. Total 10.

The following passed his vote: Nutting.

The Speaker: Eighty-eight have voted "aye," three have voted "no"; House Bill No. 139 has passed the House.

Substitute House Bill No. 51, introduced by Joffray, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Green (Dawson), Groene (Fergus), Haight, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Ritch, Rolph, Ryan, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stromnes, Whaley, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 82.

Noes: Ballard, Emmett, Lemmer, Nelson, Padbury, Smith, Stimatz. Total 7.

Absent and not voting: Byrne, Chapman, Conner, Gray, Johnson, Manning, Moss, Peterson (Valley), Toomey. Total 9.

The following passed their vote: Hall, Scofield, Watson, Worden. Total 4.

The Speaker: Eighty-two have voted "aye," seven have voted "no"; Substitute House Bill No. 51 has passed the House.

Senate amendments to House Bill No. 111, introduced by Judiciary Committee, for the Code Commissioner, were concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Foor, Fowler, Good-

win, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Harlen, Harwood, Haugan, Heavlin, Hedden, Hinerman, Johnson, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Stevens, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 85.

Noes: Ewing, Kathan, Nelson, Southmayd, Stimatz, White (Judith Basin). Total 6.

Absent and not voting: Buttelman, Gordon, Hamilton, Holding, Joffray, Manning, Moss, Mundy, Peterson (Valley), Stromnes, Toomey. Total 11.

Mr. Speaker: Eighty-five have voted "aye," six have voted "no"; Senate amendments to House Bill No. 111 have been concurred in by the House.

Senate amendments to House Bill No. 107, introduced by Judiciary Committee, for Code Commissioner, were concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Boone, Brennan, Burris, Busch, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Harlen, Harwood, Haugan, Heavlin, Hedden, Johnson, Kathan, Kelly, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 88.

Noes: None.

Absent and not voting: Bertsche, Buttelman, Byrne, Hamilton, Holding, Hinerman, Joffray, Kruse, Manning, Moss, Mundy, Parker, Sexton, Toomey. Total 14.

The Speaker: Eighty-eight have voted "aye," none have voted "no"; Senate amendments to House Bill No. 107 were concurred in by the House.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole, for the consideration of General Orders, under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Byrne of Toole in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 79, recommend the following:

That House Bill No. 79 be amended as follows: All amendments referring to the mimeographed bill unless otherwise specified: Amend Section 3 by striking out in line 3 thereof the words and figures "Fifty Dollars (\$50.00)," and inserting in lieu thereof, the words and figures, "One Hundred Dollars (\$100.00)" and by further inserting in Section 3, line 5, after the word "maintained" the following words: "If the premises for which said Class A license is to be used are located outside the limits of any city or incorporated town the applicant shall, in addition to said state license, pay to the County Treasurer of such county wherein said premises are located the sum of Fifty Dollars (\$50.00) for a Class A license for each and every game to be by him conducted, operated or maintained and

said money shall be distributed to the general fund of said county"; amend Section 4, line 1, by striking out after the word "lotteries" all of lines 1 and 2 to the word "purpose" and add after the period in line 3 the following: "Slot machines played for money or tokens redeemable in money, shall pay a license fee of \$25.00 per machine per month. Punch boards shall pay a license fee of 1c per 100 holes up to 500 holes and 5c per 100 holes from there on"; amend by adding a new section known as Section 5, to read as follows and renumbering all subsequent sections accordingly: "Before any license shall be issued by the board under the provisions of this Act in any county of the State of Montana, an election must be held in such county as hereinafter provided in this section and in Sections 22, 23, 24, 25 and 27. Such election shall not be held until a duly verified petition, requesting the same, signed by ten per centum (10%) of the voters who are qualified to vote for members of the Legislative Assembly in any such county of the state, has been presented to the Board of County Commissioners of such county. Thereupon such Board of County Commissioners must order an election to be held at the place of holding elections for county officers in such county, such election to take place within forty (40) days after the reception of such petition to determine whether or not licensed gambling shall be permitted within the limits of said county, as provided in this Act. No election under this section may be held in any month in which the general elections are held. It shall be the duty of the Board of County Commissioners of such county to determine the sufficiency of the petition presented from an examination of the roll of qualified electors within such county. If a majority of the votes cast in such election are against the licensing of gambling in such county, no license to conduct a game or games of chance in such county shall be issued to any person by the State Board of Equalization under the provisions of this Act, and the State Treasurer shall not distribute to such county any funds from the special revenue and old age pension fund established under the provisions of this Act, but shall divide the share of such county equally among the remaining counties permitting the licensing of gambling as herein provided. If, however, a majority of the votes cast in such election are for the licensing of gambling in such county, the State Board of Equalization may issue licenses for use in such county under the provisions of the Act, and the State Treasurer shall distribute to such county its pro rata share of the special revenue and old age pension fund as herein provided"; amend Section 2, page 2, line 3, after the word "value," the words "and where a rakeoff is taken in any game"; and that the committee rise and report and recommend that House Bill No. 79, together with all amendments adopted today and all proposed amendments, be referred to a Select Committee of five, to be appointed by the Speaker; said committee to report at Thursday noon.

BYRNE, Chairman.

On motion of Byrne, report adopted.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Tuesday at 10:30 o'clock A. M., February 12th, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

THIRTY-SEVENTH DAY

House of Representatives,
Helena, Montana, February 12, 1935.

House convened, pursuant to adjournment, at 10:30 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-sixth Legislative Day, find the same to be correct.

QUIGLEY, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bill No. 160.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing, beg leave to report the following correctly printed: House Bills Nos. 236, 237, 124, 191, 125, 235, 255, 232, 206, 192, 209, Substitute House Bills Nos. 42 and 46.

McCAUSLAND, Chairman.

Without objection, report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Holding and Petersen of Sheridan: A Bill for an Act entitled: "An Act to provide care of indigent and incurable invalids and for county relief therefrom and appropriations therefor."

By Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Chapter Forty-one (41) of the Session Acts of Montana of the Extraordinary Session of 1933-34 providing a license tax on all persons, associations or corporations owning or operating a telegraph business in this state."

By Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Sections 1 and 16 of Chapter 166 of the Montana Session Laws of 1933 relating to amount of license tax of corporations and providing for the distribution thereof."

By Emmett: A Bill for an Act entitled: "An Act to amend Section 2917, Revised Codes of Montana, 1921, as amended, relative to the medical and hospital services to be furnished by the Industrial Accident Board."

By Goodwin, Connors, Spiegel and Ryan: A Bill for an Act entitled: "An Act regulating the hours of labor of drivers and attendants of motor trucks in the State of Montana; defining the term 'attendant' and fixing penalties for the violation of the provisions of this Act."

By Egan: A Bill for an Act entitled: "An Act relating to the presence of livestock unattended by a herder on certain highways, releasing owners and operators of motor vehicles from responsibility for damages or injuries to such livestock between one hour after sunset and one hour before sunrise; declaring such livestock to be a public nuisance; and providing that every person, whether as owner, agister, lessee, bailee, or otherwise, having the care, custody or control of any livestock, who suffers or permits the same upon such highway during same time shall be deemed negligent and liable for damages to property or injuries to persons caused by the presence of such livestock, or for damages or injuries caused by collision of motor vehicles and such livestock, or in attempting to avoid collision; also providing that the owner or operator of such motor vehicle shall not be liable to any passenger or other person riding therein, nor to his parent or guardian, for damages or injuries arising out of such collision."

By Stromnes and others, by request: A Bill for an Act entitled: "An Act to amend Section 1, Chapter 17, of the Laws of the Twentieth Legis-

lative Assembly of the State of Montana, as amended by Section 1, Chapter 168, of the Twenty-first Legislative Assembly of the State of Montana, as amended by Section 1, of Chapter 175 of the Laws of the Twenty-second Legislative Assembly of the State of Montana; providing a method by which refund or drawback may be obtained of license taxes paid on gasoline handled, and prescribing the procedure for obtaining a refund or drawback, and providing for specific exemptions on gasoline tax as to counties."

By Stimatz: A Bill for an Act entitled: "An Act to amend Section 8896, Revised Codes of Montana, 1921, to repeal the entire Sections 8900, 8901, and to amend Section 8905 relating to selection of trial jurors; to devise ways and means by which all taxpayers would have a chance to serve as juror if so desired."

By Lasby: A Bill for an Act entitled: "An Act to amend Section 182 of the Revised Codes of the State of Montana, 1921, as amended by Chapter 85 of the Session Laws of the Eighteenth Legislative Assembly, 1923, and as further amended by Chapter 180 of the Session Laws of the Twenty-first Legislative Assembly, 1929, relating to the depositing of funds in the hands of the State Treasurer; and providing for the security to be delivered by the banks designated as depositories by the State Depository Board."

By Lasby: A Bill for an Act entitled: "An Act providing for the furnishing of official bonds by the State of Montana for all public officers, boards and commissions of the state and of each and every political subdivision thereof; providing for the creation of a Board of Official Bonds and of a fund to be known as the official bond liability fund; prescribing the duties and powers of said Board of Official Bonds, and prescribing the duties of all public officers in regard thereto, and for the adjustment and settlement of liabilities thereby, and to prevent any other manner of bonding public officials."

By Lasby: A Bill for an Act entitled: "An Act to amend Section 4767 of the Revised Codes of Montana of 1921, as amended by Chapter 89 of the Laws of the Eighteenth Legislative Assembly, and as further amended by Chapter 137 of the Laws of the Nineteenth Legislative Assembly, and as further amended by Chapter 134 of the Laws of the Twentieth Legislative Assembly, and as further amended by Chapter 49 of the Twenty-first Legislative Assembly, and as further amended by Chapter 23 of the Extraordinary Session of the Twenty-third Legislative Assembly, relating to the deposit of county, city and town funds."

By Metlen: A Bill for an Act entitled: "An Act to amend Section 6521 of the Revised Codes of Montana, 1921, as amended by Chapter 7 of the Twenty-first Legislative Assembly of Montana, concerning regulations affecting railroad corporations operating within the State of Montana."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following correctly enrolled: House Bills Nos. 83, 101, 107 and 111.
MONAHAN, Chairman.

Without objection, report adopted.

I have read House Bill No. 83, as reported from the Enrolling Committee, and certify same to be correct.

GENE BURRIS.

I have read House Bills Nos. 101, 107 and 111, as reported from the Enrolling Committee and certify same to be correct.

BOONE.

The Speaker announced he was about to sign Senate Bill No. 15, whereupon, the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 65, whereupon, the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 83, whereupon, the Clerk read title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 101, whereupon, the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 107, whereupon, the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 111, whereupon, the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker appointed Harlen of Blaine and Kelly of Flathead to invite the Senate to join the House in joint informal session to hear the Lincoln Day program at 2:30 o'clock P. M.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, the majority of your committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 120, entitled: "An Act to define osteopathy and to authorize and regulate the practice of osteopathic physicians and osteopathic surgeons and to provide penalties for the violation of this Act, and to repeal Sections 3125 to 3137 inclusive of the Revised Codes of Montana, 1921, and Chapter 79 of the Session Laws of 1925, and all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 120 be amended as follows: Amend the title by striking out the words "and osteopathic surgeons",

Amend Section 2 by striking out in lines 2 and 3 the words, "or osteopathic surgeons",

Amend Section 3 by striking out all of the Section after the word "term" in line 12,

Amend Section 5 by striking the "s" from the word "fees" in lines 5 and 8 in the last paragraph of the section on page 3 and by striking the words "and for the examination in general surgery and certificate to practice as an osteopathic surgeon, twenty dollars (\$20.00) additional, occurring after the figures \"\$20.00\" in line 6 in last paragraph of the section on page 3,

Strike out Section 6 in its entirety and renumber the sections thereafter,

Amend Section 7, (now 6) by changing the figure "9" to "8" in line 11, striking out the words "or as an osteopathic surgeon" in line 16, and striking out the words "or osteopathy and surgery", lines 19 and 20.

Amend Section 8 (now 7) by striking out the last sentence,

Amend Section 10 (now 9) by striking out the sentence beginning after the word "board" in line 6 and ending before the word "no" which begins the next sentence in line 9.

Amend Section 11 (now 10) by striking out the entire section and inserting in lieu thereof the following: "Section 10. The certificate as an

osteopathic physician provided for in this Act shall entitle the holder to practice his profession as taught in recognized and regularly conducted colleges of osteopathy, but shall not entitle him to use drugs internally for the cure of disease or to practice major surgery. Provided that nothing in this Act shall be construed to prohibit any legalized osteopathic physician in this state from practicing major surgery after having passed a satisfactory examination in major surgery before the State Board of Medical Examiners of Montana."

Amend Section 12 (now 11) by striking out the words "and osteopathic surgeons" in line 7 and the words "treatment of cases" in line 9.

Amend Section 16 (now 15) by striking out in line 2 the words "or an osteopathic surgeon."

And, as so amended recommend that House Bill No. 120 do pass.

HELDING,
PETERSON of Valley,
McCAUSLAND,
SMITH,
FOWLER,
PETERSON of Gallatin.
LIPPARD,
YORK.

It was moved by Smith, duly seconded, that the majority report be adopted.

Mr. Speaker: We, the minority of your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 120, entitled: "An Act to define osteopathy and to authorize and regulate the practice of osteopathic physicians and osteopathic surgeons and to provide penalties for the violation of this Act, and to repeal Sections 3125 to 3137 inclusive of the Revised Codes of Montana, 1921, and Chapter 79 of the Session Laws of 1925, and all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 120 do not pass and that Substitute House Bill No. 120 do pass.

MINETTE,
DOE,
LOVELL,
PADBURY,
LASBY.

On substitute motion, it was moved by Minette, duly seconded, that the minority report be adopted.

As a substitute motion for all motions pending, it was moved by Groene of Fergus, duly seconded and carried, that both bills be printed and placed on General Orders.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 153, entitled: "An Act amending Section 3694 of the Revised Codes of Montana as amended by Chapter 59, Laws of the Twentieth Legislative Assembly of the State of Montana, 1927, as amended by Chapter 162, Laws of the Twenty-second Legislative Assembly, 1931, relating to the restrictions of the manner of taking and possessing fish and game, and granting and giving to the State Fish and Game Commission of the State of Montana, authority to change or suspend closed seasons on game birds and animals, game fish and fur-bearing animals, so as to meet existing conditions, and also, to make and promulgate rules and regulations for the killing, taking, capturing and possessing of game fish, game birds, game and fur-bearing animals; prescribing penalties for a viola-

tion of this Act and repealing all Acts and parts of Acts in conflict with the provisions hereof," respectfully report as follows: That House Bill No. 153 do not pass.

LEMMER, Chairman.

On motion of Lemmer, report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 185, entitled: "An Act to amend Section 3697 of the Revised Codes of Montana, 1921, as amended by Chapter 192 of the Laws of the Nineteenth Legislative Assembly of the State of Montana, 1925, Chapter 59 of the Laws of the Twentieth Legislative Assembly of the State of Montana, 1927, Chapter 152 of the Laws of the Twenty-second Legislative Assembly of the State of Montana, 1931, and again amended by Chapter 123 of the Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933, relating to open season for deer, and providing penalties for the violation thereof," respectfully report as follows: That House Bill No. 185 do pass.

LEMMER, Chairman.

On motion of Lemmer, report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 238, entitled: "An Act to amend Section 3 of Chapter 72 of the Session Acts of the Twenty-third Legislative Assembly of Montana of 1933, relating to the taking of fish in Lake and Flathead Counties," respectfully report as follows: That House Bill No. 238 do pass.

LEMMER, Chairman.

On motion of Lemmer, report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 223, entitled: "An Act to amend 3683, Revised Codes of Montana, as amended, relative to the classes of fish and game licenses and to amend Section 3685, Revised Codes of Montana, 1921, as amended relative to fees and powers under licenses," respectfully report as follows: That House Bill No. 223 do pass.

LEMMER, Chairman.

On motion of Lemmer, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 221, entitled: "An Act to permit the payment of delinquent taxes, assessments, penalties and interest on real estate and certain personal property by installment payments, and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 221 do not pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 222, entitled: "An Act relative to the employment of teachers," respectfully report as follows: That House Bill No. 222 do not pass.

PETERSON, Valley, Chairman.

On motion of Peterson of Valley, report adopted.

Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration Senate Bill No. 17, entitled: "An Act to amend Section 1 of Chapter 71 of the Acts of the Eighteenth Legislative Assembly of the State of Montana, relating to the collection of taxes and assessments levied for irrigation district and drainage district purposes and

requiring County Treasurers to collect, receive and receipt for such irrigation district and drainage district taxes and assessments at the same time and upon the same receipt as taxes levied upon real property for county purposes," respectfully report as follows: That Senate Bill No. 17 be concurred in.

NUTTING, Chairman.

On motion of Nutting, report adopted.

Mr. Speaker: We, your Committee on Dairying, having had under consideration House Bill No. 243, entitled: "An Act to amend Sections 1, 5, 8 and 9 of Chapter 189, Session Laws of Montana 1931, relating to the Montana egg industry, fixing the license fee thereof, and adding thereto, two new sections prescribing standards for the grades of eggs and method of sale of cold storage eggs," respectfully report as follows: That House Bill No. 243 do pass.

SEXTON, Chairman.

On motion of Ahlgreen, report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 37, re-referred to this committee, entitled: "An Act providing that all materials, goods, supplies, etc., purchased by the State of Montana for use in its institutions, boards, commissions, offices, etc., shall be the product of union labor and bear the union label of any organization affiliated with or recognized by the American Federation of Labor, and providing penalty for violation and not affecting Sections 260 and 261, Revised Codes of Montana, 1921," respectfully report as follows: That House Bill No. 37 do not pass and that Substitute House Bill No. 37 do pass.

MULHOLLAND, Chairman.

On motion of Mulholland, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 172, entitled: "An Act providing for county support of public schools, and for tax levies to provide the necessary revenue therefor, and for the transportation of pupils," respectfully report as follows: That House Bill No. 172 do not pass.

PETERSON of Valley, Chairman.

On motion of Peterson of Valley, report adopted.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following bills were introduced, read first and second time and referred to committees; all appropriation measures having been read at length:

Substitute House Bill No. 37, introduced by Committee on Labor: A Bill for an Act entitled: "An Act providing that all materials, goods, supplies, etc., purchased by the State of Montana for use in its institutions, boards, commissions, offices, etc., shall be the product of union labor and bear the union label of any organization affiliated with or recognized by the American Federation of Labor and providing penalty for violation and not affecting Sections 260 and 261, Revised Codes of Montana, 1921." Committee on Printing.

House Bill No. 277, introduced by Gray, Joffray, Minette, Ewing, Boone, Hamilton, Brennan, Egan, Heavlin, White of Hill, Toomey, Moss, Mulholland, Ryan, Neary, Mitchell, Connors, Goodwin, O'Byrne: A Bill for an Act entitled: "An Act to amend Sections 309 and 437 of the Revised Codes of Montana, 1921, relating to the salary of the State Accountant." Committee on State Boards and Officers.

House Bill No. 278, introduced by Smith: A Bill for an Act entitled: "An Act to amend Section 19, of Chapter 181, Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933, relating to an Act providing for the levy and collection of an income tax, and eliminating the filing fee therefrom." Committee on Revenue and Taxation.

House Bill No. 279, introduced by Smith: A Bill for an Act entitled: "An Act to amend Section 31, of Chapter 106, of the Session Laws of 1933, as amended by Section 11, of Chapter 46, of the Laws of the Extraordinary Session of the Twenty-third Legislative Assembly, 1933, relating to the regulation and sale of beer, and prohibiting the sale thereof to minors." Committee on Public Morals, Charities and Reforms.

House Bill No. 280, introduced by Lasby: A Bill for an Act entitled: "An Act to provide for the sale of spiritous and vinous liquors at wholesale by the State of Montana; creating the Montana Liquor Control Board, and providing for the operation thereof; providing for the issuance of licenses for the retail sale of such liquors in the State of Montana and providing for the distribution of moneys collected hereunder for schools, emergency relief, old age pensions and other purposes and validating any action of the Montana State Liquor Control Board prior to the passage of this Act." Committee on Revenue and Taxation.

House Bill No. 281, introduced by Stimatz: A Bill for an Act entitled: "An Act relative to the prevention of the use of advertising defamatory to women or that would in any way expose the same to contempt, ridicule or defamation." Committee on Public Morals, Charities and Reforms.

House Bill No. 282, introduced by Emmons and Burris: A Bill for an Act entitled: "An Act to amend Section 1760, of the Revised Codes of Montana for 1921, as amended by Section 1, of Chapter 103, of the Montana Session Laws of 1933, and to repeal Section 3, of Chapter 158, Session Laws of 1931, and amending Chapter 38 of the Extraordinary Session Laws of the Twenty-third Legislative Assembly of the State of Montana, relating to registration and registration fees of motor vehicles and dealers thereof, and distribution of the revenues received therefrom." Committee on Highways.

House Bill No. 283, introduced by Goodwin, Conner, Spiegel and Ryan: A Bill for an Act entitled: "An Act regulating the hours of labor of drivers and attendants of motor trucks in the State of Montana; defining the term 'attendant' and fixing penalties for the violation of the provisions of this Act." Committee on Labor.

House Bill No. 284, introduced by Ritch: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 17 of the Acts of the Twentieth Legislative Assembly of the State of Montana, as amended by Section 1 of Chapter 168 of the Acts of the Twenty-first Legislative Assembly of the State of Montana, and by Section 1 of Chapter 175 of the Acts of the Twenty-second Legislative Assembly of the State of Montana; providing a method by which refund or drawback may be obtained of license taxes paid on gasoline handled, and prescribing the procedure for obtaining refund or drawback." Committee on Petroleum, Oil and Gas.

House Bill No. 285, introduced by Pilgeram, Bertsche, Lemmer, Stevens, Stromnes, Southmayd and Ritch: A Bill for an Act entitled: "An Act appropriating money to carry out the intent and purpose of House Joint Memorial No. 3 of the Twenty-first Legislative Assembly providing for the erection of a statue or bronze memorial of Charles Marion Russell in the statuary hall of the capitol building in Washington, D. C." Committee on Appropriations.

House Bill No. 286, introduced by Nelson and Metlen: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 171 of the Session

Laws of the State of Montana of 1933, relating to the leasing of state lands for oil and gas development." Committee on State Lands.

House Bill No. 287, introduced by Balgord: A Bill for an Act entitled: "An Act to amend Section 8 of Chapter 89 of the Laws of the Twentieth Legislative Assembly of 1927, relating to the amount of capital stock and surplus necessary to the procuring of certificate of authorization, for the establishment of a commercial bank, and providing further for the fixing of the amount of capital stock and surplus necessary in cities or towns of different population." Committee on Banks and Banking.

House Bill No. 288, introduced by Nutting: A Bill for an Act entitled: "An Act to amend Section 7252 of the Revised Codes of Montana, 1921, and validating bonds, warrants and other evidences of indebtedness heretofore issued by any irrigation district in the State of Montana." Committee on Irrigation and Water Rights.

House Bill No. 289, introduced by Leavitt: A Bill for an Act entitled: "An Act authorizing the Montana Liquor Control Board to issue 'hotel licenses'; to permit the sale of liquor to be consumed on the premises; defining the term 'hotel, restaurant, cafe and cafeteria' and other terms used in the Act; fixing the amount of license fees therefor; prescribing the hours during which liquors may be sold; prohibiting the sale of liquors to minors, and other designated persons; authorizing the Montana Liquor Control Board to prescribe rules and regulations under, and by which, the hotel license may be conducted; prohibiting the sale or traffic in any liquors other than purchased at state liquor stores, and providing for the issuance of permits to hotels to purchase supplies from said liquor stores and providing penalties for the violation thereof." Committee on Revenue and Taxation.

House Bill No. 290, introduced by Leavitt: A Bill for an Act entitled: "An Act to amend Section 387 Revised Codes of Montana, 1921, relative to the term of office of a Notary Public." Committee on State Boards and Officers.

House Bill No. 291, introduced by Kruse, by request: A Bill for an Act entitled: "An Act to amend Section 8 of Chapter 104 of the Session Laws of the Twenty-first Legislative Assembly, 1929, relating to handicapped persons trained for cosmetology by the State Bureau of Vocational Rehabilitation." Committee on State Institutions, Public Buildings and Grounds.

House Bill No. 292, introduced by Appropriations Committee, by unanimous consent without previous notice: A Bill for an Act entitled: "An Act appropriating money for the State Highway Commission for the period beginning July 1, 1935, and ending June 30, 1937." Committee on Appropriations.

House Bill No. 293, introduced by Committee on Military Affairs: A Bill for an Act entitled: "An Act providing educational opportunities for the children of soldiers, sailors, and marines who were killed in action or died during the World War." Committee on Appropriations.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

House Bill No. 189, introduced by Committee on Insurance, was passed by the following vote:

Ayes: Acher, Ahlgreen, Balgord, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Conner, Connors, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray,

Green (Dawson), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), Worden, Mr. Speaker. Total 85.

Noes: Anderson: Total 1.

Absent and not voting: Ballard, Chapman, Coultas, Doe, Groene (Fergus), Leary, Masterson, Metlen, Minette, Moss, Padbury, Parker, Rolph, Stromnes, White (Hill), York. Total 16.

The Speaker: Eighty-five have voted "aye," one has voted "no"; House Bill No. 189 has passed the House.

House Bill No. 163, introduced by Judiciary Committee, by request, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Green (Dawson), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Toomey, Watson, Whaley, White (Judith Basin), Worden, Mr. Speaker. Total 87.

Noes: Stimatz. Total 1.

Absent and not voting: Byrne, Coultas, Fowler, Gray, Groene (Fergus), Leary, Masterson, Metlen, Minette, Moss, Padbury, Stromnes, White (Hill), York. Total 14.

The Speaker: Eighty-seven have voted "aye," one has voted "no"; House Bill No. 163 has passed the House.

House Bill No. 150, introduced by Manning, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, Mr. Speaker. Total 90.

Noes: Nelson. Total 1.

Absent and not voting: Fowler, Groene (Fergus), Leary, Leavitt, Masterson, Metlen, Minette, Moss, Rolph, Stromnes, York. Total 11.

The Speaker: 90 have voted "aye"; 1 has voted "no"; House Bill No. 150 has passed the House.

House Bill No. 164, introduced by Judiciary Committee, by request, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Brennan, Busch, Buttelman, Byrne, Chamberlain, Conner, Coultas, Doe, Ecton, Egan, Emmett, Foor, Goodwin, Green (Dawson), Groene (Fergus), Hall, Harien, Harwood, Haugan, Hinerman, Joffray, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Logan, Lott, McCausland, Manning, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Mundy, Neary, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Rolph, Scofield, Sexton, Sherman, Smith, Southmayd, Stevens, Toomey, Whaley, White (Judith Basin), York. Total 63.

Noes: Boone, Chapman, Connors, Cusick, Ewing, Gordon, Gray, Haight, Hamilton, Heavlin, Hedden, Johnson, Kathan, Liggett, Lippard, Lovell, Nelson, Nutting, Quigley, Ritch, Ryan, Spiegel, Stimatz, Watson, White (Hill), Worden, Mr. Speaker. Total 27.

Absent and not voting: Burris, Emmons, Fowler, Leary, McLaughlin, Masterson, Metlen, Minette, Moss, Peterson (Valley), Stromnes. Total 11.

The following passed their vote: Holding. Total 1.

The Speaker: 63 have voted "aye"; 27 have voted "no"; House Bill No. 164 has passed the House.

House Bill No. 160, introduced by Judiciary Committee, by request, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 93.

Noes: None.

Absent and not voting: Fowler, Gray, Leary, Masterson, Minette, Moss, Nelson, Stromnes, Toomey. Total 9.

The Speaker: 93 have voted "aye"; none have voted "no"; House Bill No. 160 has passed the House.

Substitute House Bill No. 6, introduced by Committee on Public Morals, Charities and Reforms, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Ewing, Foor, Fowler, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Harlen, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kelly, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, McLaughlin, Miller (Roosevelt), Miller (Big Horn), Minette, Monahan, Mundy, Nutting, O'Byrne, O'Connor, Ormsbee, Peterson (Valley), Quigley, Rolph, Sexton, Stevens, Stimatz, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 66.

Noes: Boone, Burris, Connors, Emmons, Goodwin, Hamilton, Kathan, Lovell, Metlen, Mitchell, Mulholland, Neary, O'Brien, Padbury, Parker, Peterson (Gallatin), Ritch, Ryan, Scofield, Sherman, Smith, Southmayd, Spiegel. Total 23.

Absent and not voting: Ballard, Harwood, Joffray, Kruse, Leary, Manning, Masterson, Moss, Stromnes, Toomey. Total 10.

The following passed their vote: McCausland, Nelson, Petersen (Sheridan). Total 3.

The Speaker: 66 have voted "aye"; 23 have voted "no"; Substitute House Bill No. 6 has passed the House.

Substitute House Bill No. 11, introduced by Judiciary Committee, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Groene (Fergus), Haight, Hall, Hamilton, Harlen, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Scofield, Sexton, Sherman, Smith, Southmayd, Stevens, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 86.

Noes: Green (Dawson), Mulholland, Ryan, Spiegel, Stimatz. Total 5.

Absent and not voting: Harwood, Kruse, Leary, Manning, Masterson, Parker, Ritch, Rolph, Stromnes, Toomey. Total 10.

The following passed his vote: Acher. Total 1.

The Speaker: 86 have voted "aye"; 5 have voted "no"; Substitute House Bill No. 11 has passed the House.

The Speaker appointed the following special committee to act on House Bill No. 79: Groene of Fergus, Chairman; Spiegel, Leavitt, Nutting and Doe.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Peterson of Gallatin: A Bill for an Act entitled: "An Act relating to agriculture seeds; amending Section 3594, Revised Codes of Montana, 1921, as amended by Section 1 of Chapter 110, Laws of the Twenty-first Legislative Assembly of the State of Montana, 1929, and amending Section 3599, Revised Codes of Montana, 1921, concerning the labeling requirements of agriculture seeds and mixtures and concerning samples sent to laboratory for tests."

By Committee on Townships and Counties, by request: A Bill for an Act entitled: "An Act authorizing counties to frame charters for their own government consistent with and subject to the Constitution of Montana."

By Padbury, Smith and Toomey: A Bill for an Act entitled: "An Act to extend the open season for hunting elk in certain designated portions of Lewis and Clark county, and repealing all Acts and parts of Acts in conflict herewith."

By Lasby: A Bill for an Act entitled: "An Act levying an annual business tax on banks for the privilege of doing business; providing for the administration and enforcement; prescribing penalties for the violation thereof."

By Padbury, Smith and Toomey: A Bill for an Act entitled: "An Act to amend Section 5397 of the Revised Codes of Montana of 1921 relating to petitioning for the abandonment of the commission form of government in cities by decreasing the percentage of voters required to petition for abandonment and providing that the last mayoralty election shall be the basis of determining the number of electors for the purpose of the petition."

By Southmayd: A Bill for an Act entitled: "An Act appropriating money for the payment of the per diem, mileage and incidental expense of the delegates to the Constitutional Convention."

By O'Brien: A Bill for an Act entitled: "An Act relative to the payment of interest on outstanding bonds of any city or county in the State of Montana; providing for a moratorium of five years on the payment of such interest, and declaring an emergency."

By Fowler: A Bill for an Act entitled: "An Act providing for the payment in certain cases of costs and expenses incurred in public utility hearings instituted upon complaint."

By Watson and Worden: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 45 of the Session Laws of the Twenty-third Legislative Assembly of 1933, relating to the appointment of the "Montana Relief Commission."

By Revenue and Taxation Committee: A Bill for an Act entitled: "An Act defining 'cosmetics and kindred products'; providing a license to engage in the business of selling the same; providing a license tax on the retail price of such cosmetics or kindred products sold or given away; providing for the payment and distribution of such license fee and license tax and providing for the regulation of the sales thereof, the enforcement of such tax and license, and penalty for violation of this Act; and defining the duties of state and county officials."

By Sherman: A Bill for an Act entitled: "An Act to amend Section 3378 of the Revised Codes of the State of Montana, 1921, relative to the liability of the owner or mortgagee of livestock for damages sustained by the owner or occupant of premises enclosed by legal fence."

By Committee on State Lands, by request: A Bill for an Act entitled: "An Act providing for reimbursing the United States Government for the expense of emergency conservation work if and when, by a sale of land or products, the state derives a profit from such work."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 8, entitled: "A Memorial memorializing Congress that they take appropriate action to prevent the return to the United States of former residents of the United States who voted in the Saar Plebiscites." respectfully report as follows: That House Joint Memorial No. 8 do pass.

STEVENS, Chairman.

On motion of Stevens, report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 9, entitled: "A Memorial to the Congress of the United States, requesting the enactment of legisla-

tion to provide for Federal Aid to the public schools, and the public school systems, of the several states, and setting forth the emergency which the current economic depression has brought about, and which renders financial assistance to the public schools of the State of Montana imperative," respectfully report as follows: That House Joint Memorial No. 9 do pass.

STEVENS, Chairman.

On motion of Stevens, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 181, entitled: "An Act to fix the minimum wage to be paid members of the police department of cities of the first and second class of the State of Montana, and those other cities and towns which have now elected, or shall hereafter elect to come under the provisions of Chapter 120 of the Session Laws of the Twenty-first Legislative Assembly of the State of Montana," respectfully report as follows: That House Bill No. 181 do pass.

GOODWIN, Chairman.

On motion of Goodwin, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 276, entitled: "An Act relative to the establishment of water rates by a water plant owned by a city without the consent of the Public Service Commission," respectfully report as follows: That House Bill No. 276 be amended as follows: Line two of Section 1, strike out the words: "Between the dates from", and insert in lieu thereof the words: "for the period between."

Line six of Section 1, strike out the words: "to do so," and insert in lieu thereof the words: "so to do", and as amended do pass.

GOODWIN, Chairman.

On motion of Goodwin, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 76, entitled: "An Act to amend Section 4932 of the Revised Codes of the State of Montana, 1921, to allow constables salaries in certain townships," respectfully report as follows: That House Bill No. 76 do pass.

GOODWIN, Chairman.

On motion of Goodwin, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 264, entitled: "An Act requiring the County Assessor annually to value and assess property in his county subject to taxation, and repealing Chapter 110 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana, 1927," respectfully report as follows: That House Bill No. 264 do pass.

BALLARD, Chairman.

On motion of Byrne, report adopted.

Mr. Speaker: We, your Committee on Public Safety, having had under consideration House Bill No. 258, entitled: "An Act to promote the safe operation of motor vehicles; requiring certain motor vehicles to be equipped with safety glass; defining the terms used in this Act; prescribing the powers and duties of the registrar of motor vehicles and the Public Service Commission in relation to the administration of this Act; authorizing the refusal of motor vehicle licenses and permits in certain cases and providing penalties for the violation of this Act," respectfully report as follows: That House Bill No. 258 do pass.

EMMETT, Chairman.

On motion of Emmett, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR
AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to and bills are herewith transmitted to the House for concurrence:

S. B. No. 54.
S. B. No. 59.
S. B. No. 60.
S. B. No. 68.
S. B. No. 73.
S. B. No. 76.
Sub. S. B. No. 22.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 179, by Committee on Fairs and Expositions, was this day recommended for non-concurrence by the Senate Committee on Public Morals, report adopted, and bill is herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that further messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Holt: A Bill for an Act entitled: "An Act defining legal settlement, and the method of acquiring legal residence within the State of Montana and its several counties."

By Holt: A Bill for an Act entitled: "An Act declaring an emergency to exist in the State of Montana as to the inactivity and unemployment in the construction industry within the state, inadequate housing and the need of modernization of mining, industrial, railroad, public utilities, business and residential properties within the sovereign State of Montana, and to encourage such new construction and modernization, as well as to urge our people to avail themselves of the opportunities offered by the Federal Housing Act of the National Government."

By Holt: A Senate Joint Resolution providing that the Montana Rural Rehabilitation Corporation be recognized and designated as a public agency and instrumentality of the state, for the purpose of assisting in the rehabilitation of individuals and families as self-sustaining human beings, and authorizing the various officers, boards, courts and governing bodies of the state now engaged in the relief of destitution and unemployment to cooperate with said corporation.

By Holt: A Joint Memorial memorializing the Congress of the United States and the Secretary of Labor that they take appropriate action to prevent the return of those men and women now in Germany who went there to exercise their right to vote in the Saar Plebiscite controversy."

By Holt and Delaney: A Bill for an Act entitled: "An Act validating, ratifying, approving and confirming elections heretofore held by public bodies of the State of Montana authorizing the creation of indebtedness and the issuance of bonds to finance public work projects."

By Holt and Delaney: A Bill for an Act entitled: "An Act validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore issued by public bodies of this state for public work projects."

By Armstrong: A Bill for an Act entitled: "An Act relating to the open season for the killing and taking of elk in Park County, State of Montana, providing for the powers and duties of the Montana State Fish and Game Commission relative to the provisions of this Act, making the violation of this Act a misdemeanor, providing a penalty for such violation, and repealing all Acts and parts of Acts in conflict herewith."

By Meyer: A Bill for an Act entitled: "An Act declaring illegal, void and unenforceable any provision empowering entry of judgment by confession, or creating an agency to either confess judgment, accept service of process or entry of default in any proceedings in court, when such provision is contained in a contract in writing by which any promise to pay money is created."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Printing: Reported S. B. Nos. 64, Sub. for Sub. No. 8, S. J. R. No. 5 and S. J. M. No. 1 have been correctly printed, report adopted.

Public Morals: That H. B. No. 177 be concurred in;

That H. B. No. 179 be not concurred in;

Reports adopted.

Water Conservation and Flood Control: That S. B. No. 101 do pass, report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Standing Committees this day reported as follows:

Printing Committee: That Senate Sub. for S. B. No. 18 has been correctly printed, report adopted.

Engrossed Bills: That Sub. S. B. No. 22, S. B. Nos. 54, 59, 60, 68, 73, and 76 have been correctly engrossed, report adopted.

Enrolled Bills: That S. B. Nos. 15 and 65 have been correctly enrolled and duly verified, report adopted.

Public Lands: That S. B. No. 95 do pass, report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motions were this day made, duly seconded and carried:

On motion, the adoption of the Committee of the Whole report of Saturday, February 9th, was reconsidered, and S. B. No. 81 was segregated therefrom, the amended report being adopted.

On motion, S. B. No. 81 was placed on General File.

On motion, consideration of S. B. No. 45 was passed for the day.

On motion, H. B. No. 103 was taken from third reading and placed on General File.

On motion, H. B. No. 100 was taken from third reading and placed on General File.

On motion, H. B. No. 80 was segregated from the report of the Committee of the Whole, the amended report was adopted, and on motion, H. B. No. 80, was re-referred to General File.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time, and referred to committees.

S. B. No. 101, by Committee on Water Conservation and Flood Control: A Bill for an Act entitled: "An Act to amend Sections 2, 5, and 8 Chapter 35, of the Acts of the Extraordinary Session of the Twenty-third Legislative Assembly of Montana, entitled: 'An Act providing for the creation of the State Water Conservation Board; prescribing its powers and duties; providing for the construction, operation and maintenance of a system of works for the conservation, development, storage, distribution and utilization of water, and for the acquisition of property necessary therefor; authorizing the issuance of water conservation revenue bonds of the state payable solely from the revenues of such works and the funds received from the sale or disposal of water and from the operation, lease, sale or other disposition of the works, property and facilities to be acquired out of the proceeds of such bonds; providing for a lien upon bond proceeds; providing for trust indentures; providing for the creation of certain funds in connection with this Act; providing for contracts with the United States; declaring that no debt of the state shall be incurred in the exercise of any of the powers granted by this Act; providing for purchase condemnation; and otherwise acquiring lands and water rights and for the sale thereof; making an appropriation; repealing Chapter 155, of the Session Laws of 1931; and declaring an emergency,' and to supplement said Chapter 35, by adding Section 8-A thereto so as to provide that the State Water Conservation Board may mortgage property, and by adding Section 21-A thereto so as to provide that the State Water Conservation Board shall be a body corporate; and declaring an emergency." To Water Conservation and Flood Control.

S. B. No. 102, by Meyer and Church: A Bill for an Act entitled: "An Act to repeal Section 1 of Chapter 196, Session Laws of 1931, relating to the use of the labor of male prisoners in the Montana State prison for the manufacture of common brick and cement sand brick, and to the use of the labor of male inmates of the Montana State Hospital for the insane for the manufacture of cement sand brick." To Labor and Capital.

S. B. No. 103, by Hammond: A Bill for an Act entitled: "An Act to amend Section 10482 of the Revised Codes of Montana of 1921, as amended by Chapter 133 of the Acts of the Twenty-third Legislative Assembly of 1933, relating to the conditions of allowance of Mother's Pensions." To Judiciary.

S. B. No. 104, by Committee on Public Lands: A Bill for an Act entitled: "An Act recognizing the liability of the state for the public school permanent fund under Section 3 of Article XI of the Constitution of the state, acknowledging its obligation thereunder to keep such public school fund inviolate and its guarantee against the loss or diversion of any part thereof including the investments in state farm mortgage loans; providing for assuming and taking over as the property of the state itself

all such state farm loans and all lands acquired by the state under such loans together with all rights of the state in connection therewith, and providing for the repayment of the amount invested in such farm loans together with interest." To Public Lands.

S. B. No. 105, by Danielsen: A Bill for an Act entitled: "An Act to amend Section 4836 of the Revised Codes of Montana of 1921, relating to duties of the County Surveyor; defining the scope and effect of this Act, and repealing all Acts and parts of Acts in conflict herewith." To Counties and Towns.

S. B. No. 106, by Simmons and Wass: A Bill for an Act entitled: "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section Five of Article Five of the Constitution of the State of Montana, providing that no Session of the Legislative Assembly, after the year Nineteen Hundred Thirty-Six, shall exceed forty-five days, and that a Senator or Representative may, during the term for which he shall have been elected, be appointed to serve as a member of a Legislative Council." To Judiciary.

S. B. No. 107, by Wass and Simmons: A Bill for an Act entitled: "An Act creating a Legislative Council; providing for the appointment of the members thereof; prescribing the powers and duties of such council and fixing the compensation of the members thereof." To Judiciary.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. B. No. 62 be amended in lines 13, 14 and 15, printed bill, by striking out the following words following the word "maturity": "or which shall in any manner preclude the maker or endorser from defending in court any action instituted thereon," and inserting in lieu thereof the words, "or by which provision the maker or endorser empowers any other person as his agent to confess judgment, accept service of process, or enter his default in any proceeding in court upon such note or instrument." And as so amended, do pass.

That S. B. No. 67 be amended by adding after the word and figure "Section 1" in line 1, printed bill, as follows: That Section 5308 R. C. M. 1921, as amended by Chapter 54 of the Acts of the Twenty-first Legislative Assembly of Montana of 1929, be, and the same is hereby amended to read as follows: "Section 5308. And as amended, do pass.

That S. B. No. 75 do pass.

That S. B. No. 83 be passed for the time.

That H. B. No. 72 be concurred in.

That S. B. No. 81 be passed temporarily.

That H. B. No. 80 be amended in Section 1 by striking out in lines 23-24, the following words, "The money so paid shall be held by the Clerk of Court in a trust fund," and inserting in lieu thereof the words, "The money shall be paid to the Clerk of the District Court who must deposit same with the County Treasurer for credit to the Clerk of the District Court's deposit or trust fund." And as so amended, be concurred in.

That H. B. No. 77 be concurred in.

That H. B. No. 102 be concurred in.

That H. B. No. 178 be amended in Section 1 by striking out in line 8 the following words: "Three Dollars and Seventy Cents," and inserting in lieu thereof the words, "One Dollar," and as so amended, be concurred in.

That H. J. M. No. 4 be concurred in.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day gave notice that he was about to sign and did sign in open session:

S. B. No. 15.

S. B. No. 65.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Neary, duly seconded and carried, that House Bill No. 291 be taken from the Committee on State Institutions, Public Buildings and Grounds and referred to the Committee on Public Health and Sanitary Affairs.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following were introduced, read first and second time and referred to committees:

Substitute Senate Bill No. 22, introduced by Committee on Insurance: A Bill for an Act entitled: "An Act to provide for state insurance of public buildings and contents; to provide for the valuation thereof; to provide for the duties of public officers in connection therewith; to provide for the levying of assessment premiums, for the investment and distribution of the insurance fund, and for the payment of losses; to prevent any other manner of insuring public property; and to provide penalties for the violation of this Act." Referred to Committee on Insurance.

Senate Bill No. 54, introduced by Committee on Education: A Bill for an Act entitled: "An Act amending Section 835 of the Revised Codes of Montana of 1921, as amended by Chapter 146, Laws of 1929, relating to the meetings and expenses of the State Board of Education." Referred to Committee on Education.

Senate Bill No. 59, introduced by Hollenback and Arnold: A Bill for an Act entitled: "An Act to amend Section 2201 R. C. M. 1921, as amended by Chapter 125 of the Session Acts of the Twenty-third Legislative Assembly of Montana of 1933, relating to the time of redemption of property from tax sales." Referred to Committee on Judiciary.

Senate Bill No. 60, introduced by Parkin: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 44 of the Acts of the Extraordinary Legislative Assembly of Montana of 1933-1934, relating to the levy of special taxes for the payment of school district warrants outstanding July 1, 1934, and requiring the inclusion in the budget allotment of district and county high schools of delinquent warrants hereafter paid out of the county high school tax moneys, and repealing all Acts in conflict herewith." Referred to Committee on Education.

Senate Bill No. 68, introduced by Committee on State Lands: A Bill for an Act entitled: "An Act relating to the purchase by the United States of lands within the State of Montana for National Forest purposes." Referred to Committee on Livestock and Public Ranges.

Senate Bill No. 73, introduced by Committee on Taxation: A Bill for an Act entitled: "An Act to amend Section 2153 of the Revised Codes of Montana of 1921, as amended by Chapter 182 of the Acts of the Twenty-third Legislative Assembly of the State of Montana, relating to the lien on personal property taxes and defining priority of personal property taxes as applied to real estate and permitting payment and redemption from the lien thereof." Referred to Committee on Ways and Means.

Senate Bill No. 76, introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act providing for the mortgaging of the right of dower of an insane married woman, and providing for the appointment of a guardian of an insane married woman when her only property is right of dower in her husband's real estate." Referred to Committee on Judiciary.

House Bill No. 294, introduced by O'Brien and Ryan: A Bill for an Act entitled: "An Act requiring license for the operation, maintenance, or establishment of any place of business, wholesale, or retail, bank or banks, store, or stores, grain elevator or elevators, meat market, or meat product markets, gasoline station, or gasoline stations, lumber yard, or lumber yards, whether selling and buying lumber and lumber products exclusively or not, and mercantile establishments of every kind and character, in this state, prescribing the license and filing fees to be paid therefor; and providing for the collection and disposition thereof, and the powers and duties of the State Director of Licenses, or State Treasurer in connection therewith, and prescribing penalties for the violation thereof; and declaring unlawful the operating, maintaining, opening or establishment of stores without a license; defining certain terms; providing for renewals of licenses; providing that the revenue derived shall be deposited fifty per cent (50%) in the Old Age Pension Fund of Montana, which may now be in existence, or, which may hereafter be created and fifty per cent (50%) in the General Fund of the State of Montana." Referred to Committee on Revenue and Taxation.

House Bill No. 295, introduced by Padbury, Smith and Toomey: A Bill for an Act entitled: "An Act to extend the open season for hunting elk in certain designated portions of Lewis and Clark County, and repealing all Acts and parts of Acts in conflict herewith." Referred to Fish and Game Committee.

House recessed for the Lincoln Day program.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Resolution No. 5, entitled: "Memorializing the United States Senate to ratify at the instant Session of Congress the treaty between the United States of America and the Dominion of Canada for the building of the Great Lakes-St. Lawrence Seaway," respectfully report as follows: That House Joint Resolution No. 5 do pass.

STEVENS, Chairman.

On motion of Stevens, report adopted.

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 125, entitled: "An Act to amend Sections Two (2) and Four (4) of Chapter Twenty (20) of the Laws of

1931, requiring that any board, council, commission, trustees or body acting for the state or any county or municipality or any public body, who shall contract with any person or corporation to do any work for the state, county, municipality or other public body, to require a good and sufficient bond therefor, and providing the terms, conditions and provisions of said bond, and prescribing the liability of the state or any county or municipality or public body for failure to take such bond and repealing all Acts or parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 125 do not pass, but that Substitute House Bill No. 125 do pass.

BURRIS, Chairman.

On motion of Burris, report adopted.

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 277, entitled: "An Act to amend Sections 309 and 437 of the Revised Codes of Montana, 1921, relating to the salary of the State Accountant," respectfully report as follows: That House Bill No. 277 do pass.

BURRIS, Chairman.

On motion of Burris, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by O'Byrne, duly seconded and carried, that House Bill No. 117 be taken from General Orders and that the similar bills referring to Old Age Pensions be taken from the committees to which they have been referred and that they be re-referred to a select committee of five to be appointed by the Speaker, and that the committee report on Monday, February 25th, 1935.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting; and that there be no yielding of time.

CONSIDERATION OF GENERAL ORDERS

Burris of Deer Lodge in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 171, 140, 162, 142, 175, 135, and Senate amendments to House Bill No. 63, recommend the following:

All amendments to bills referring to the printed bill unless otherwise specified.

That House Bill No. 171 be amended as follows: Amend Section 1 by adding a new paragraph: "This Act shall not be construed to prohibit the award of prizes for any one game bird, animal, fish or fur bearing animal on the basis of size, quality, or rarity"; amend the title by inserting in line 2 after the word "of" the words "bag limit", and in Section 1 of line two the same insertion be made after the words "or as a"; and as amended do pass.

That House Bill No. 140 be amended as follows: Amend Section 1 by inserting in line 60, page 3, after the word "fish," the words "fish eggs"; amend Section 1 by inserting after the word "Act" in line 111 the following: "Provided, however, that it shall not have authority to issue permits to anyone to carry firearms within the confines of the State of Montana, except to regularly appointed officers and/or Fish and Game Wardens who are paid by the State of Montana"; and as amended do pass.

That the enacting clause be stricken in House Bill No. 142.

That House Bill No. 175 do pass.

That House Bill No. 135 do pass.

That Senate amendments to House Bill No. 63 be not concurred in and that a conference committee be appointed and a like committee be requested from the Senate.

That House Bill No. 162 do pass.

BURRIS, Chairman.

On motion of Burris, report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Toomey, by request: A Bill for an Act entitled: "An Act to amend Section 8259 of the Revised Codes of Montana, 1921, as amended by Chapter 14 of the Laws of the Nineteenth Legislative Assembly of the State of Montana, relating to the recording and filing of assignments of mortgages and requiring that the same shall contain the post office address of the assignee and prohibiting the recording thereof unless containing such post office address, and to repeal Section 8260 of the Revised Codes of Montana, 1921."

By Groene of Fergus: A Bill for an Act entitled: "An Act to amend Section 11159, Revised Codes of Montana, 1921, relating to the prohibition of gambling games, and repealing all Acts and parts of Acts in conflict therewith."

By Toomey, by request: A Bill for an Act entitled: "An Act to provide for the recording of subordination agreements or waivers in favor of subsequent purchasers, encumbrancers or mortgages in case of real estate mortgages and for the filing thereof in the case of chattel mortgages."

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your select committee appointed pursuant to House Resolution by Fowler to give study to the matter of deficiency appropriations and to draft and recommend legislation necessary and proper to eliminate the same, said deficiencies being currently reported as aggregating \$236,000.00, beg leave to report as follows:

There is not at the present time any legislation in force in our state curbing or prohibiting the incurrence of deficiency expenditures for the maintenance of state institutions, departments, boards and officers, and this condition defeats the Budget Act, the work of the Appropriations Committee, and the will of the Legislature in limiting appropriations to amounts within estimated revenue income, as required by the constitution of the state. This condition has existed for many years and is the cause of wide-spread criticism of public officials and institutional heads by the taxpayers at large and works injury to the credit of the state.

At the same time it must also be borne in mind that the standing administrative officers of the state and the executive heads of penal and custodial institutions, must be clothed with sufficient discretion to meet unusual conditions and emergencies in order to avoid injury to such institutions, boards and officers.

Recognizing this condition and attempting to meet the same by limiting deficiency appropriations as far as reasonably possible consistent with

healthy and responsible administration, your select committee has drafted and herewith presents a measure which we offer for your consideration.

KRUSE,
HARWOOD,
TOOMEY.

On motion of Kruse, report adopted.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF SAME

The following bill was introduced, read first and second time at length and referred to the Committee on Appropriations:

House Bill No. 296, introduced by unanimous consent without previous notice:

By Kruse, Toomey and Harwood: A Bill for an Act entitled: "An Act to prohibit any authority, state institution, board, bureau, commission or department of the State of Montana having charge or regulation or supervision of the disbursement or expenditure of the income provided for any such state institution, board, bureau, commission or department maintained in whole or in part by the state, from expending or contracting to expend, or ordering or requiring any inferior authority to expend, any amount in excess of the annual income from legislative appropriation and other authorized sources and granting the Board of Examiners authority to decrease expenditures under appropriations within the limitations of this Act, and providing penalties for violation of this Act and for the removal from office or employment of persons violating this Act."

The Speaker appointed Fowler, Ormsbee, O'Byrne, Emmons and Foor as the select committee under the resolution offered by Fowler yesterday to investigate the public utilities and the press.

It was moved by Leavitt, duly seconded and carried, that the House adjourn until Wednesday at 11:00 o'clock A. M., February 13th, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

THIRTY-EIGHTH DAY

House of Representatives,
Helena, Montana, February 13th, 1935.

House convened, pursuant to adjournment, at 11:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by Chaplain.

A quorum was present. The following were excused: Ritch and Stromnes.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the thirty-seventh legislative day, find the same to be correct.

QUIGLEY, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing, beg leave to report the following correctly printed: House Bill No. 144. Substitute House Bills Nos. 12, 40 and 39.

McCAUSLAND, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 83, 101, 107, 111, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:00 o'clock P. M., delivered to the Governor for his approval.

MONAHAN, Chairman.

Without objection, report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Foor: A Bill for an Act entitled: "An Act to amend Section 11005, Revised Codes of Montana, 1921, relating to lewd and lascivious acts upon children."

By Foor: A Bill for an Act entitled: "An Act providing for the printing and distribution of the Revised Codes of Montana of 1935 and appropriating money therefor."

By Heavlin: A Bill for an Act entitled: "An Act relating to the taxation of real and personal property and limiting the aggregate annual rate of levy thereon for general state, county, municipal and school district purposes."

By Watson and Brennan: A Bill for an Act entitled: "An Act relating to the regulation of auctioneers, and to amend Sections 4147 and 4148, and to repeal Sections 4151, 4152, 4153, 4154, and 4155 and 4156, Revised Codes of Montana, 1921."

By Judiciary Committee for the Code Commissioner: A Bill for an Act entitled: "An Act relating to the codification and general revision of the Laws of Montana, repealing Sections 222, 653, 736, through 756 inclusive, 1033, 1570 through 1575 inclusive, 1583, through 1602 inclusive, 2097 through 2110 inclusive, 2162, 2221, 2273, through 2295 inclusive, 2384 as amended by Chapter 186 of the Laws of 1925, 2385, 2386, 2387, 2388, 2389 as amended by Chapter 186 of the Laws of 1925, 2390, 2391, 2392 as amended by Initiative Measure Number 31, Laws of 1927, 2418, 2437, 2774, 3549, 5215, 5357 through 5365 inclusive, and 9982 through 9989 inclusive, of the Revised Codes of Montana of 1921."

By Haight, Byrne, Rolph, Moss, Kruse, Lott: A Bill for an Act entitled: "An Act to regulate the nomination and election of the State Superintendent of Public Instruction and the County Superintendent of Schools; providing for a primary ballot and a general election ballot without party designation for the nomination and election of said officers; providing the form of nominating petitions for the offices aforesaid; designing the form and arrangement of ballots to be used at said elections; "adapting the provisions of existing primary and general election laws to the election provided for in this Act, and repealing all Acts and parts of Acts in conflict herewith."

By Stimatz: A Bill for an Act entitled: "An Act to amend Section 678, Revised Codes of Montana, 1921, relative to election ballots."

By Chamberlain: A Bill for an Act entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Section 9 of Article XIX of the Constitution of the State of Montana relative to the proposal of constitutional amendments, said amendments being for the purpose of changing the number of amendments allowed to be submitted at each election to ten."

By Stevens: A Bill for an Act entitled: "An Act to amend Section 135 of the Revised Codes of Montana of 1921, as amended by Chapter 22

of the Laws of the Twenty-first Legislative Assembly of 1929, and Sections 303, 384 and 521 of the Revised Codes of Montana of 1921, relating to the distribution of public documents and reports."

By Joffray: A Bill for an Act entitled: "An Act to amend Section 11159 Revised Codes of Montana, 1921, prohibiting gambling games, said amendment providing for the playing of certain games for amusement and pastime, and the use in places of business of trade stimulators upon the payment of a license to the County Treasurer, and providing a penalty for the violation thereof."

By Heavlin: A Bill for an Act entitled: "An Act to amend Section 5771, Revised Codes of Montana, 1921, relating to support of wife and children on divorce or separation granted to wife, and providing for modification of the judgment."

By Fowler: A Bill for an Act entitled: "An Act amending Section 3122 of the Revised Codes of Montana of 1921, relating to the practice of medicine; defining what Acts shall constitute such practice and providing penalties for the violation of said section."

By Stevens: A Bill for an Act entitled: "An Act to provide for license tax upon the privilege of engaging in certain businesses, and levying a tax upon the gross sales made in such business, and/or the gross income of such business; to provide for the disposition of the Revenues received, and to provide definitions and penalties."

By Goodwin, Byrne, O'Byrne, Emmons, Spiegel and Stimatz: A Bill for an Act entitled: "An Act relating to the furnishing of free text books to pupils attending school, public or otherwise, including high schools, within the State of Montana, and amending Section 1198, Revised Codes of Montana of 1921."

By Lemmer: A Bill for an Act entitled: "An Act to amend Section 3722, Revised Codes of Montana, 1921, as amended by Section 19, Chapter 59 of the Laws of the Twentieth Legislative Assembly of the State of Montana, relative to the protection and trapping of beaver."

By Toomey: A Bill for an Act entitled: "An Act making an appropriation for the purpose of paying claims for refund of inheritance taxes erroneously and illegally collected by the State of Montana."

By Townships and Counties Committee, by request: A Bill for an Act entitled: "An Act authorizing counties and incorporated cities and towns to consolidate and to frame charters for the government of such consolidated counties, cities and towns."

By Townships and Counties Committee, Ballard, Chairman: A Bill for an Act entitled: "An Act to amend Section 4917 of the Revised Codes of Montana of 1921, regulating the fees of County Clerks."

The Speaker announced the Special Committee to consider pension bills as follows: Stevens, Chairman, Goodwin, Egan, Byrne and Smith.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 71, entitled: "An Act to protect trade-mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a distinguished trade-mark, brand or name," respectfully report as follows: That House Bill No. 71 be printed and placed on General Orders.

BOONE, Chairman.

On motion of Foor, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 158, entitled: "An Act to amend Section 9309 of

the Revised Codes of Montana, 1921, relating to moneys paid to the Clerk of the District Court as Trust Funds, providing for the procedure to be followed in the receipt and disbursement of the same, and the disposition to be made of unclaimed balances," respectfully report as follows: That House Bill No. 158 do not pass, but that Substitute House Bill No. 158, do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 267, entitled: "An Act to amend Sections 9397 and 9398, Revised Codes of Montana, 1921, relative to when new trials may be granted and on what papers motions can be made," respectfully report as follows: That House Bill No. 267 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 151, entitled: "An Act to amend Section 10145, Revised Codes of Montana, 1921, providing that all property exempt from execution, including the homestead to be set apart for use of family," respectfully report as follows: That House Bill No. 151 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 176, entitled: "An Act to amend Sections 8276, 8277, 8278, 8279 and 8280 of the Revised Codes of Montana, 1921, relating to chattel mortgages, and providing for a central filing aid reporting system for chattel mortgages, and for the expiration of the lien of chattel mortgages as to all persons, and specifying the fees and duties of the Secretary of State in connection with the administration of this Act," respectfully report as follows: That House Bill No. 176 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 169, entitled: "An Act to amend Section 11870 of the Revised Codes of the State of Montana, being a part of Chapter 17, of Part II, of the Criminal Code of the State of Montana, relating to rules of pleading and forms of the information and indictment and relating to the variance between the charge contained in the indictment or information and the evidence offered in proof thereof, and providing that no variance between the statement contained in the indictment or information and the evidence offered in proof thereof shall be grounds for acquittal," respectfully report as follows: That House Bill No. 169 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 161, entitled: "An Act to amend Section 11853 of the Revised Codes of the State of Montana of 1921, relating to the sufficiency of indictments and informations and to defects and imperfections therein," respectfully report as follows: That House Bill No. 161 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 196, entitled: "An Act for the recovery of attorney fees as damages in actions for recovery, benefits or money due

under or by virtue of the terms of any written contract of insurance; providing that the jury may fix said attorney fees and allow them as damages in case where there is found to be fraud, lack of diligence or vexatious delay on the part of the insurer," respectfully report as follows: That House Bill No. 196 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 296, entitled: "An Act to prohibit any authority, state institution, board, bureau, commission or department of the State of Montana, having charge or regulation or supervision of the disbursement or expenditure of the income provided for any such institution, board, bureau, commission, or department maintained in whole or in part by the state, from expending or contracting to expend, or ordering or requiring any inferior authority to expend, any amount in excess of the annual income from legislative appropriation and other authorized sources and granting the board of examiners authority to decrease expenditures under appropriations within the limitations of this Act, and providing penalties for violation of this Act and for the removal from office or employment of persons violating this Act," respectfully report as follows: That House Bill No. 296 do pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and bills are herewith returned to the House:

H. B. No. 34, by Ahlgreen.
H. B. No. 72 by Leavitt.
H. B. No. 77, by Ecton.
H. B. No. 102, by Committee on Judiciary.
H. B. No. 104, by Committee on Judiciary.
H. B. No. 105, by Committee on Judiciary.
H. B. No. 106, by Committee on Judiciary.
H. B. No. 112, by Committee on Judiciary.
H. J. M. No. 4, by Ahlgreen and Lasby.
H. J. M. No. 6, by Nutting.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on roll call, the Senate this day concurred in the House amendments to Senate Bills Nos. 1 and 42.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and bills are herewith returned to the House for concurrence in the Senate amendments:

H. B. No. 64, by Burris.
H. B. No. 99, by Judiciary Committee.
H. B. No. 127, by Toomey.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Meyer: A Bill for an Act entitled: "An Act to amend Section 7727 of the Revised Codes of Montana, 1921, relating to the use for usury and an action to recover excessive interest."

By Meyer: A Bill for an Act entitled: "An Act to amend Section 7726 of the Revised Codes of Montana, 1921, relating to interest and the amount that parties may agree to and what charges are prohibited."

By Kilduff: A Bill for an Act entitled: "An Act to amend Section 9256, as amended, and 9257 of the Revised Codes of Montana of 1921, relating to attachments and affidavits therefor."

By Committee on State Boards and Officers: A Bill for an Act entitled: "An Act to amend Sections 1, 2 and 3 of Chapter 46, Session Laws of 1933; being an Act to regulate the practice of the profession of public accounting or auditing; providing for the qualifications, examination and admission of applicants and the issuance of certificates thereto; providing for an examining board and the powers thereof."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notice of introduction was this day received:

By Delaney: A Bill for an Act entitled: "An Act to establish a State Board of Examiners in the basic sciences, to provide for its organization and powers, to provide that certification by such board be a prerequisite to eligibility for examination to practice the healing arts, to provide the fees required for the taking of an examination in the basic arts, to provide for such examination, to define the basic sciences, to define the healing arts, and to provide the penalties for violations of this Act."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Engrossing: Reported S. B. Nos. 62, 67 and 75 correctly engrossed.
Counties and Towns:

Recommend S. B. No. 92 for passage.

Recommend S. B. No. 91 for passage.

Recommend S. B. No. 87 for passage.

Recommend S. B. No. 82 do not pass.

Water Conservation and Flood Control: Recommended S. B. No. 109 and S. B. No. 110 for passage.

Reports adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Printing: Reported S. B. No. 95 correctly printed.

Engrossed Bills: Reported S. B. Nos. 27, 77, 78 and 84 correctly engrossed.

Federal Relations: That H. J. M. No. 1 be concurred in.

That H. J. M. No. 2 be concurred in.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motions were this day made, duly seconded and carried:

On motion, consideration of S. B. No. 81 was made a special order of business for tomorrow at 2:00 P. M.

On motion, H. B. Nos. 100 and 103 were taken from General File and referred to the Committee on Judiciary.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time, and referred to committees:

S. J. M. No. 2 by Holt: A Joint Memorial memorializing the Congress of the United States and the Secretary of Labor that they take appropriate action to prevent the return of those men and women now in Germany who went there to exercise their right to vote in the Saar Plebiscite controversy." To Federal Relations.

S. B. No. 108, by Meyer: A Bill for an Act entitled: "An Act declaring illegal, void and unenforceable any provision empowering entry of judgment by confession, or creating an agency to either confess judgment, accept service of process or entry of default in any proceeding in court, when such provision is contained in a contract in writing by which any promise to pay money is created." To Banks and Banking.

S. B. No. 109, by Holt and Delaney: A Bill for an Act entitled: "An Act validating, ratifying, approving and confirming elections heretofore held by public bodies of the State of Montana authorizing the creation of indebtedness and the issuance of bonds to finance public works projects." To Water Conservation and Flood Control.

S. B. No. 110, by Holt and Delaney: A Bill for an Act entitled: "An Act validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore issued by public bodies of this state for public works projects." To Water Conservation and Flood Control.

S. B. No. 111, by Committee on State Boards and Offices: A Bill for an Act entitled: "An Act to amend Sections 1, 2 and 3 of Chapter 46, Session Laws of 1933; being an Act to regulate the practice of the profession of public accounting or auditing; providing for the qualifications, examinations and admission of applicants and the issuance of certificates thereto; providing for an examining board and the powers thereof." To Judiciary.

S. B. No. 112, by Committee on Agriculture: A Bill for an Act entitled: "An Act authorizing the creation and dissolution of county-wide herd districts upon the vote of the majority of the qualified electors of the county; providing the procedure for the creation or dissolution of such districts and for the exclusion of lands therefrom; defining the powers and duties of the Board of County Commissioners in connection with such districts; prohibiting the running at large of livestock within such districts;

adopting the provisions of certain statutes of Montana in connection with this Act; providing penalties for the violation of this Act and repealing all Acts in conflict herewith." To Agriculture.

S. B. No. 113, by Armstrong: A Bill for an Act entitled: "An Act relating to the open season for the killing and taking of elk in Park County, State of Montana, providing for the powers and duties of the Montana State Fish and Game Commission relative to the provisions of this Act, making the violation of this Act a misdemeanor, providing a penalty for such violation and repealing all Acts and parts of Acts in conflict herewith." To Fish and Game.

S. B. No. 114, by Sullivan: A Bill for an Act entitled: "An Act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto." To Roads and Highways.

S. B. No. 115, by Meyer: A Bill for an Act entitled: "An Act to repeal Sections 5697 and 5724, Revised Codes of Montana, of 1921, and to amend Section 5695, Revised Codes of Montana of 1921, and to prohibit common law marriages in Montana." To Judiciary.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House bills were this day introduced in the Senate, read first and second time, and referred to committees:

H. B. No. 150, by Manning, to Judiciary.

H. B. No. 160, by Committee on Judiciary, by request, to Judiciary.

H. B. No. 163, by Committee on Judiciary, by request, to Judiciary.

H. B. No. 164, by Committee on Judiciary, by request, to Judiciary.

H. B. No. 189, by Committee on Insurance, to Insurance.

Sub. H. B. No. 6, by Committee on Public Morals, Charities and Reforms, to Judiciary.

Sub. H. B. No. 11, by Committee on Judiciary, to Judiciary.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration Business on General File, respectfully report and recommend as follows:

That consideration of Sub. for Sub. S. B. No. 8 be passed for the day.

That Sub. S. B. No. 18 be amended by adding on page 4 of the printed bill, after line 10, a new section to be known as Section 9, to read as follows:

"Section 9. It shall be the duty of the County Treasurer of each county within sixty (60) days after the passage and approval of this Act to mail notice to delinquent taxpayers advising them of their rights under this chapter."

Further amend on page 4 by renumbering the remaining Sections 10, 11 and 12, and as so amended, recommend said bill do pass.

That consideration of S. B. No. 64 be passed for the day.

That S. J. M. No. 1 do pass.

That S. J. R. No. 5 do pass.

That S. B. No. 83 be amended by inserting immediately after the enacting clause the following paragraph:

"Section 1. That Chapter 102 of the 1933 Session Laws of the State of Montana be and the same is hereby amended to read as follows":

Further amend in Section 2 by striking out in line 5 the word, "exceeding," and inserting in lieu thereof the words, "less than";

Further amend in Section 3 by striking out in line 5 the word "exceeding," and inserting in lieu thereof the words, "less than"; and as so amended, do pass.

That H. B. No. 80 be amended, do pass.

That H. B. No. 80 be amended in Section 1 by striking out in lines 23 and 24 the following words: "The money so paid shall be held by the Clerk of Courts in a trust fund," and inserting in lieu thereof the words, "The money shall be paid to the Clerk of the District Court who must deposit same with the County Treasurer for credit to the Clerk of the District Court deposit or trust fund."

That same be amended in Section 1 by inserting in line 27 of the printed bill after the words, "and the," the following: "County Treasurer shall receipt for the"; and by striking out all of line 28; and as so amended, be concurred in.

That consideration of H. B. No. 103 be passed for the time.

That H. B. No. 177 be concurred in.

That consideration of H. B. No. 100 be passed for the time.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President this day gave notice that he was about to sign and did sign in open session:

H. B. No. 83.

H. B. No. 101.

H. B. No. 107.

H. B. No. 111.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion, duly seconded and carried, consideration of S. B. No. 45 on General File was this day passed temporarily.

On motion, seconded and carried, H. B. No. 178 was taken from Third Reading and referred to General File.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House bills were this day introduced in the Senate, read first and second time and referred to committees:

H. B. No. 51, to Labor and Capital.

H. B. No. 65, to Education.

H. B. No. 118, to Judiciary.

H. B. No. 139, to Fish and Game.

H. B. No. 180, to Fairs and Expositions.

H. B. No. 202, to State Boards and Officers.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Spiegel, duly seconded and carried, that consideration of Substitute House Bill No. 42 be passed for the day.

It was moved by Fowler, duly seconded and carried, that Substitute House Bill No. 125, after being introduced, be referred to the Committee on State Boards and Officers.

It was moved by Byrne, duly seconded and carried by unanimous consent, that Rule No. 32, relating to noticing bills, be suspended after today.

INTRODUCTION OF BILLS AND MEMORIALS AND
SECOND READING OF THE SAME

The following were introduced, read first and second time and referred to committees; all appropriation measures having been read at length:

House Bill No. 297, introduced by Lemmer: A Bill for an Act entitled: "An Act to amend Section 3722, Revised Codes of Montana, 1921, as amended by Section 19, Chapter 59 of the Laws of the Twentieth Legislative Assembly of the State of Montana, relative to the protection and trapping of beaver." Referred to Committee on Fish and Game.

House Bill No. 298, introduced by Toomey: A Bill for an Act entitled: "An Act providing for the appointment of official motor vehicle inspection stations in the State of Montana under the State Highway Commission, eligibility for such appointment, providing for periodical inspection of motor vehicles, trucks, trailers and semi-trailers and for the operation of official inspection stations, requiring owners and drivers of such vehicles to comply with the provisions of this Act, providing for the enforcement and administration thereof through the State Highway Commission, and making any violation of this Act a misdemeanor." Referred to Committee on Highways.

House Bill No. 299, introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act defining 'cosmetics and kindred products'; providing a license to engage in the business of selling the same; providing a license tax on the retail price of such cosmetics or kindred products sold or given away; providing for the payment and distribution of such license fee and license tax and providing for the regulation of the sales thereof, the enforcement of such tax and license, and penalty for violation of this Act; and defining the duties of state and county officials." Referred to Committee on Revenue and Taxation.

House Bill No. 300, introduced by Lasby: A Bill for an Act entitled: "An Act to amend Section 182 of the Revised Codes of the State of Montana, 1921, as amended by Chapter 85 of the Session Laws of the Eighteenth Legislative Assembly, 1923, and as further amended by Chapter 180 of the Session Laws of the Twenty-first Legislative Assembly, 1929, relating to the depositing of funds in the hands of the State Treasurer; and providing for the security to be delivered by the banks designated as depositories by the State Depository Board." Referred to Committee on Banks and Banking.

House Bill No. 301, introduced by Lasby: A Bill for an Act entitled: "An Act to amend Section 4767 of the Revised Codes of Montana of 1921, as amended by Chapter 89 of the Laws of the Eighteenth Legislative Assembly, and as further amended by Chapter 137 of the Laws of the Nineteenth Legislative Assembly, and as further amended by Chapter 134 of the Laws of the Twentieth Legislative Assembly, and as further amended by Chapter 49 of the Twenty-first Legislative Assembly, and as further amended by Chapter 23 of the Extraordinary Session of the Twenty-third Legislative Assembly, relating to the deposit of county, city and town funds." Referred to Committee on Banks and Banking.

House Bill No. 302, introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Sections 1 and 16 of Chapter 166 of the Montana Session Laws of 1933 relating to amount of license tax of corporations and providing for the distribution thereof." Referred to Committee on Revenue and Taxation.

House Bill No. 303, introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Chapter Forty-one (41) of the Session Acts of Montana of the Extraordinary Session of 1933-34 providing a license tax on all persons, associations or corporations owning or operating a telegraph business in this state." Referred to Committee on Revenue and Taxation.

House Bill No. 304, introduced by Stimatz: A Bill for an Act entitled: "An Act to amend Section 8896, Revised Codes of Montana, 1921, to repeal the entire Sections 8900, 8901, and to amend Section 8905, relating to selection of trial jurors; to devise ways and means by which all taxpayers would have a chance to serve as jurors if so desired." Referred to Committee on Judiciary.

House Bill No. 305, introduced by Stromnes by request: A Bill for an Act entitled: "An Act to amend Section 1, Chapter 17, of the Laws of the Twentieth Legislative Assembly of the State of Montana, as amended by Section 1, Chapter 168, of the Laws of the Twenty-first Legislative Assembly of the State of Montana, as amended by Section 1, of Chapter 175 of the Laws of the Twenty-second Legislative Assembly of the State of Montana; providing a method by which refund or drawback may be obtained of license taxes paid on gasoline handled, and prescribing the procedure for obtaining a refund or drawback, and providing for specific exemptions on gasoline tax as to counties." Referred to Committee on Petroleum, Oil and Gas.

Substitute House Bill No. 125, introduced by Fowler: A Bill for an Act entitled: "An Act to amend Chapter Twenty (20) of the Laws of the Twenty-second Legislative Assembly of the State of Montana, requiring that any board, council, commission, trustee or body acting for the state or any county or municipality or any public body, who shall contract with any person or corporation to do any work for the state, county, municipality or other public body, to require a good and sufficient bond therefor, and providing the terms, conditions and provisions of said bond, and prescribing the liability of the state or any county or municipality or public body for failure to take such bond and repealing all Acts or parts of Acts in conflict herewith." Referred to Committee on State Boards and Officers.

Substitute House Bill No. 158, introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act to amend Section 9309 of the Revised Codes of Montana, 1921, relating to moneys paid to the Clerk of the District Court as trust funds, providing for the procedure to be followed in the receipt and disbursement of the same, and the disposition to be made of unclaimed balances." Referred to Committee on Printing.

House Bill No. 306, introduced by Emmett: A Bill for an Act entitled: "An Act to amend Section 2917, Revised Codes of Montana, 1921, as amended, relative to the medical and hospital services to be furnished by the Industrial Accident Board." Referred to Committee on Workmen's Compensation.

House Bill No. 307, introduced by Holding, and Petersen of Sheridan: A Bill for an Act entitled: "An Act to provide care of indigent and incurable invalids and for county relief therefrom and appropriations therefor." Referred to Committee on Appropriations.

House Bill No. 308, introduced by Padbury, Smith and Toomey, by request: A Bill for an Act entitled: "An Act to amend Section 5397 of the Revised Codes of Montana of 1921 relating to petitioning for the

abandonment of the commission form of government in cities by decreasing the percentage of voters required to petition for abandonment and providing that the last mayoralty election shall be the basis of determining the number of electors for the purpose of the petition." Referred to Committee on Affairs of Cities.

House Bill No. 309, introduced by Sherman: A Bill for an Act entitled: "An Act to amend Section 3378 of the Revised Codes of the State of Montana, 1921, relative to the liability of the owner or mortgagee of livestock for damages sustained by the owner or occupant of premises enclosed by legal fence." Referred to Committee on Livestock and Public Ranges.

House Bill No. 310, introduced by Lasby: A Bill for an Act entitled: "An Act providing for the furnishing of official bonds by the State of Montana for all public officers, boards and commissions of the state and of each and every political subdivision thereof; providing for the creation of a Board of Official Bonds and of a fund to be known as the official bond liability fund; prescribing the duties and powers of said Board of Official Bonds, and prescribing the duties of all public officers in regard thereto, and for the adjustment and settlement of liabilities thereby, and to prevent any other manner of bonding public officials." Referred to Committee on State Boards and Officers.

House Bill No. 311, introduced by Fowler: A Bill for an Act entitled: "An Act providing for the payment in certain cases of costs and expenses incurred in public utility hearings instituted upon complaint." Referred to Committee on Public Utilities.

House Bill No. 312, introduced by Egan: A Bill for an Act entitled: "An Act relating to the presence of livestock unattended by a herder on certain highways, releasing owners and operators of motor vehicles from responsibility for damages or injuries to such livestock between one hour after sunset and one hour before sunrise; declaring such livestock to be a public nuisance; and providing that every person, whether as owner, agister, lessee, bailee, or otherwise, having the care, custody or control of any livestock, who suffers or permits the same upon such highway during said time shall be deemed negligent and liable for damage to property or injuries to persons caused by the presence of such livestock, or for damages or injuries caused by collision of motor vehicles and such livestock, or in attempting to avoid collision; also providing that the owner or operator of such motor vehicle shall not be liable to any passenger or other person riding therein, nor to his parent or guardian, for damages or injuries arising out of such collision." Referred to Committee on Public Safety.

House Bill No. 313, introduced by Peterson of Gallatin: A Bill for an Act entitled: "An Act relating to agriculture seeds; amending Section 3594, Revised Codes of Montana, 1921, as amended by Section 1 of Chapter 110, Laws of the Twenty-first Legislative Assembly of the State of Montana, 1929, and amending Section 3599, Revised Codes of Montana, 1921, concerning the labeling requirements of agriculture seeds and mixtures and concerning samples sent to laboratory for tests." Referred to Committee on Agriculture.

House Bill No. 314, introduced by Watson: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 45 of the Session Laws of the Twenty-third Legislative Assembly of 1933, relating to the appointment of the "Montana Relief Commission." Referred to the Special Committee on Relief.

House Bill No. 315, introduced by Metlen: A Bill for an Act entitled: "An Act to amend Section 6521 of the Revised Codes of Montana, 1921, as amended by Chapter 7 of the Laws of the Twenty-first Legislative Assembly of Montana, concerning regulations affecting railroad corporations

operating within the State of Montana." Referred to Committee on Railroads and Transportation.

House Bill No. 316, introduced by Committee on State Lands: A Bill for an Act entitled: "An Act providing for reimbursing the United States Government for the expense of emergency conservation work if and when, by a sale of land or products, the state derives a profit from such work." Referred to Committee on State Lands.

House Bill No. 317, introduced by Southmayd: A Bill for an Act entitled: "An Act appropriating money for the payment of the per diem, mileage and incidental expense of the delegates to the constitutional convention." Referred to Committee on Appropriations.

House Bill No. 318, introduced by O'Brien: A Bill for an Act entitled: "An Act relative to the payment of interest on outstanding bonds of any city or county in the State of Montana; providing for a moratorium of five years on the payment of such interest, and declaring an emergency." Referred to Committee on Judiciary.

House Bill No. 319, introduced by Leavitt: A Bill for an Act entitled: "An Act relative to the classification of highways within the State of Montana and defining which of said highways shall be maintained by the Montana Highway Commission from the state highway fund." Referred to Committee on Highways.

House Bill No. 320, introduced by Gray: A Bill for an Act entitled: "An Act relating to the time for filing a claim with the employer, the insurer, or the Industrial Accident Board, under the Workmen's Compensation Act, in case of personal injury to any public officer connected with or engaged in a hazardous occupation, and in case of personal injury to a person who when such injury occurred was a public officer connected with or engaged in a hazardous occupation." Referred to Committee on Judiciary.

It was moved by Byrne, duly seconded and carried, that the House now resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Burris of Deer Lodge in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 137, 29 and Substitute House Bill No. 204, recommend the following:

That House Bill No. 137 do pass.

That House Bill No. 29 be passed temporarily.

That Substitute House Bill No. 204 do pass

BURRIS, Chairman.

On motion of Burris, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion duly seconded and carried, respectfully requests the return from the House of House Bill No. 64 for further consideration.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Leavitt, duly seconded and carried, that the request of the Honorable Senate be granted.

The Committee on House Resolution No. 3 was granted an extension of time of one day on their report.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Committee on Labor: A Bill for an Act entitled: "An Act to Amend Section 10 of Chapter 66 of the Session Laws of the Eighteenth Legislative Assembly of Montana of 1923, relating to the governing of the state purchasing department and the manner of purchasing supplies and allowing purchase of Montana produce or manufactured products under certain conditions and allowing a differential in price to be paid therefore."

By Egan: A Bill for an Act entitled: "An Act to amend Sections 44 and 45, Revised Codes of Montana, 1921, relative to the apportionment of the membership of the House of Representatives, said amendment providing for a reapportionment based on the 1930 census on a ratio of one representative for each eight thousand population, or major fraction thereof."

By O'Connor: A Bill for an Act entitled: "An Act establishing and defining the boundary line between Park and Carbon counties."

By Toomey: A Bill for an Act entitled: "An Act to amend Section 6 of Article V of the Constitution of the State of Montana, relating to Sessions of the Legislative Assembly."

By Ormsbee: A Bill for an Act entitled: "An Act to amend Section 715, Revised Codes of Montana, 1921, dealing with absent voters, providing for voting by electors necessarily absent from their precincts or unable to attend the polls because of physical disability; and to amend Sections 716 and 720, Revised Codes of Montana, 1921, and Section 717, Revised Codes of Montana, 1921, as amended by Section 1, Chapter 151, Laws of 1923, all relating to the application for an absent voter's ballot and to the form, mailing and return of such ballot."

By Committee on Agriculture: A Bill for an Act entitled: "An Act for compulsory state laboratory protein testing of all wheat delivered to public grain warehouses in the State of Montana, and to establish standard rules governing the testing of wheat for protein in marketing or handling by grain warehousemen, and fixing the fees for making such tests and providing penalties for violation of this Act."

By Minette: A Bill for an Act entitled: "An Act to authorize the trustees of any school district; the County Commissioners of any county or the City or Town Council of any city or town of the State of Montana to issue or grant oil or gas leases on any or all land or lands under their control."

REPORTS OF STANDING COMMITTEES

I hereby return to the House, House Bill No. 195, pertaining to pensions, as ordered by the House.

COMMITTEE ON STATE BOARDS AND OFFICERS,

BURRIS, Chairman.

On motion of Burris, report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 262, entitled: "An Act to amend Section 1, Section 2, Section 3, Section 5, Section 6, Section 7 and Section 10 of Chapter 153 of the Laws of Montana of 1931, relating to the regulation and licensing the sale of commercial fertilizer, and providing for the inspection of fertilizer materials, and fixing penalties for the violation of the Act," respectfully report as follows: That House Bill No. 262 do pass.

CHAPMAN, Chairman.

On motion of Chapman, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bills Nos. 162, 171, 135 and 140.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following considered correctly engrossed: House Bill No. 175.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing, beg leave to report the following correctly printed: House Bills Nos. 185, 238, 243, 76, 223 and Substitute House Bills Nos. 37 and 120.

McCAUSLAND, Chairman.

Without objection, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Stimatz, duly seconded, that the House reconsider its action on House Bill No. 142.

A roll call was demanded by the required number and the motion failed by the following vote:

Ayes: Ahlgreen, Ballard, Burris, Chamberlain, Chapman, Connors, Coultas, Egan, Emmons, Harwood, Hinerman, Joffray, Kathan, Lasby, Leavitt, Lemmer, Logan, Lott, Masterson, Miller (Roosevelt), Mitchell, Monahan, Neary, Petersen (Sheridan), Peterson (Valley), Ryan, Sherman, Southmayd, Spiegel, Stimatz, Mr. Speaker. Total 31.

Noes: Acher, Anderson, Balgord, Bertsche, Boone, Brennan, Busch, Byrne, Conner, Cusick, Doe, Ecton, Emmett, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harlen, Haugan, Hedden, Holding, Johnson, Kelly, Kuhl, McCausland, McLaughlin, Manning, Miller (Big Horn), Mundy, Nelson, Nutting, O'Brien, O'Connor, Ormsbee, Padbury, Parker, Peterson (Gallatin), Quigley, Scofield, Sexton, Smith, Toomey, Watson, White (Judith Basin), White (Hill), Worden. Total 51.

Absent and not voting: Buttelman, Fowler, Haight, Heavlin, Kruse, Leary, Liggett, Lippard, Lovell, Metlen, Minette, Moss, Mulholland, O'Byrne, Ritch, Rolph, Stevens, Stromnes, Whaley, York. Total 20.

The Speaker: Thirty-one have voted "aye"; fifty-one have voted "no"; the motion is lost.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following were introduced, read first and second time and referred to committees:

House Bill No. 321, introduced by Bertsche: A Bill for an Act entitled: "An Act to amend Section 4545, Revised Codes of Montana as amended by

Chapter 30 of the Twentieth Legislative Assembly relating to the appointment, qualification, term of office, meetings and business of county fair commissioners." Referred to Committee on Fairs and Expositions.

House Bill No. 322, introduced by Toomey, by request: A Bill for an Act entitled: "An Act to amend Section 8259 of the Revised Codes of Montana 1921 as amended by Chapter 14 of the Laws of the Nineteenth Legislative Assembly of the State of Montana, relating to the recording and filing of assignments of mortgages and requiring that the same shall contain the post office address of the assignee and prohibiting the recording thereof unless containing such post office address, and to repeal Section 8260 of the Revised Codes of Montana, 1921." Referred to Committee on Townships and Counties.

House Bill No. 323, introduced by Toomey, by request: A Bill for an Act entitled: "An Act to provide for the recording of subordination agreements of waivers in favor of subsequent purchasers, encumbrancers or mortgagees in case of real estate mortgages and for the filing thereof in the case of chattel mortgages." Referred to Committee on Townships and Counties.

House Bill No. 324, introduced by Toomey, by request: A Bill for an Act entitled: "An Act to amend Section 6 of Article V of the Constitution of the State of Montana, relating to Sessions of the Legislative Assembly." Referred to Committee on State Boards and Officers.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

House Bill No. 162, introduced by Judiciary Committee, by request, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Conner, Coultas, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harlen, Harwood, Hagan, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, Mr. Speaker. Total 89.

Noes: Stimatz.

Absent and not voting: Chapman, Connors, Cusick, Groene (Fergus), Heavlin, Leary, Metlen, Minette, Nutting, Ritch, Stromnes, York. Total 12.

The Speaker: Eighty-nine have voted "aye"; one has voted "no"; House Bill No. 162 has passed the House.

House Bill No. 171, introduced by Lemmer, was passed by the following vote:

Ayes: Acher, Balgord, Bertsche, Brennan, Busch, Buttelman, Byrne, Chamberlain, Conner, Coultas, Ecton, Egan, Emmett, Foor, Goodwin, Gordon, Green (Dawson), Hall, Hamilton, Harlen, Heavlin, Holding, Hinerman, Joffray, Johnson, Kelly, Kruse, Kuhl, Leavitt, Lemmer, Liggett, Lippard, Logan, McLaughlin, Manning, Masterson, Miller (Roosevelt), Mona-

han, Moss, Mundy, O'Brien, O'Connor, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Scofield, Sexton, Smith, Southmayd, Spiegel, Stevens, Stimatz, White (Judith Basin). Total 56.

Noes: Ahlgreen, Boone, Burris, Chapman, Connors, Doe, Emmons, Ewing, Gray, Haight, Haugan, Hedden, Kathan, Lasby, Lott, Lovell, McCausland, Miller (Big Horn), Mulholland, Nelson, Nutting, O'Byrne, Parker, Rolph, Ryan, Sherman, Toomey, Watson, White (Hill), Worden, Mr. Speaker. Total 31.

Absent and not voting: Anderson, Ballard, Cusick, Fowler, Groene (Fergus), Harwood, Leary, Metlen, Minette, Ritch, Stromnes, Whaley. Total 12.

The following passed their vote: Mitchell, Neary, York. Total 3.

The Speaker: Fifty-six have voted "aye"; thirty-one have voted "no"; House Bill No. 171 has passed the House.

House Bill No. 135, introduced by Ryan and Mitchell was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Doe, Ecton, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Green (Dawson), Groene (Fergus), Haight, Hall, Harlen, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lovell, McCausland, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 88.

Noes: None.

Absent and not voting: Ballard, Cusick, Egan, Fowler, Gray, Hamilton, Harwood, Leary, Lott, Metlen, Ormsbee, Peterson (Valley), Ritch, Stromnes. Total 14.

The Speaker: Eighty-eight have voted "aye"; none have voted "no"; House Bill No. 135 has passed the House.

House Bill No. 175, introduced by Judiciary Committee was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harlen, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lovell, McCausland, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 89.

Noes: Stimatz.

Absent and not voting: Ballard, Fowler, Haight, Harwood, Leary, Lott, McLaughlin, Metlen, Ritch, Stromnes, Toomey. Total 11.

The following passed their vote: Bertsche.

The Speaker: Eight-nine have voted "aye"; one has voted "no"; House Bill No. 175 has passed the House.

House Bill No. 140, introduced by Committee on Fish and Game was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harlen, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Masterson, Miller (Roosevelt), Minette, Monahan, Moss, Mulholland, Mundy, Neary, Nutting, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 81.

Noes: Boone, Gray, Haight, Haugan, Miller (Big Horn), Nelson, Petersen (Sheridan), Stimatz. Total 8.

Absent and not voting: Ballard, Coultas, Fowler, Harwood, Leary, Manning, Metlen, Mitchell, O'Brien, Ritch, Stromnes, Toomey. Total 12.

The following passed their vote: Conner.

The Speaker: Eight-one have voted "aye"; eight have voted "no"; House Bill No. 140 has passed the House.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 291, entitled: "An Act to amend Section 8 of Chapter 104 of the Session Laws of the Twenty-first Legislative Assembly, 1929, relating to handicapped persons trained for cosmetology by the State Bureau of Vocational Rehabilitation," respectfully report as follows: That House Bill No. 291 do pass.

YORK, Chairman.

On motion of York, report adopted.

Mr. Speaker: We, your Committee on Public Utilities and State Commission, having had under consideration House Bill No. 311, entitled: "An Act providing for the payment in certain cases of costs and expenses incurred in public utility hearings instituted upon complaint," respectfully report as follows: That House Bill No. 311 do pass.

ORMSBEE, Chairman.

On motion of Ormsbee, report adopted.

Mr. Speaker: We, your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 231, entitled: "An Act authorizing the Public Service Commission to designate any one or more persons, whether in the regular employ of the commission or not, to make an investigation into the reasonableness of the rates, charges and schedules of any public utility and to make an appraisal of the property of any public utility," respectfully report as follows: That House Bill No. 231 do pass.

ORMSBEE, Chairman.

On motion of Ormsbee, report adopted.

Mr. Speaker: We, your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 230, entitled: "An Act providing for the payments of expenses incurred in public utility investigations," respectfully report as follows: That House Bill No. 230 do pass.

ORMSBEE, Chairman.

On motion of Ormsbee, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 183, entitled: "An Act to provide for the Torrens Land Title System and fixing penalties for violations of this Act," respectfully report as follows: That House Bill No. 183 do pass.

BALLARD, Chairman.

On motion of Ballard, report adopted.

Mr. Speaker: We, your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 229, entitled: "An Act authorizing the court to propose or declare rates, fares, charges, classifications, joint rates, regulations, practices or services which it deems reasonable as a guide to the Public Service Commission in all cases brought to set aside rates or charges fixed by the Public Service Commission," respectfully report as follows: That House Bill No. 229 do pass.

ORMSBEE, Chairman.

On motion of Ormsbee, report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 281, entitled: "An Act relative to the prevention of the use of advertising defamatory to women or what would in any way expose the same to contempt, ridicule or defamation," respectfully report as follows: That House Bill No. 281 be amended as follows: "Section 4. Providing, however, that the above Act shall apply only to fan dancers using electric fans and shall not apply to fan dancers who are bow-legged." And as amended, do not pass.

MONAHAN, Chairman.

On motion of Monahan, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 228, entitled: "An Act to amend Sections 1135, 1136, 1137, 1139, and 1140 of the Revised Codes of Montana of 1921. relating to public schools, the compulsory attendance of children, the employment of children during school sessions, the appointment, powers and duties of truant officers, the schooling and relief of pauper children, the prosecution of truants, parents, guardians and employers for violation of the provisions of said sections and providing penalties therefor," respectfully report as follows: That House Bill No. 228, do not pass.

PETERSON of Valley, Chairman.

On motion of Peterson of Valley, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 147, entitled: "An Act declaring the policy of the state to establish a uniform system of free public schools, and providing state support therefor, and for the distribution thereof, creating the State Public School General Fund," respectfully report as follows: That House Bill No. 147 do pass.

PETERSON of Valley, Chairman.

On motion of Peterson of Valley, report adopted.

MOTIONS AND RESOLUTIONS

The following Resolution was adopted, on motion of Coultas, duly seconded and carried:

A Resolution inviting the United States army winter test flight group, Ralph Royce, Major, United States army, commanding, to visit the city of Helena, so the personnel of said group may be presented to the House of Representatives of the Twenty-fourth Legislative Assembly of the State of Montana.

Whereas, the United States army winter test flight group, Ralph Royce, Major, United States army, commanding, will visit the State of Montana; and,

Whereas, the House of Representatives of the Twenty-fourth Legislative Assembly of the State of Montana, appreciative of the importance of military aviation in the national defense recognizes the distinction entailing upon this commonwealth in the coming of this unit of army air-men; now, therefore,

Be It Resolved, That the United States army test flight group, Ralph Royce, Major, United States army, commanding, be hereby invited to visit the city of Helena so that in formal expression of the recognition due him and his personnel, they may be presented to the House of Representatives of the Twenty-fourth Legislative Assembly of the State of Montana;

Be It Further Resolved, That the Speaker of the House transmit a copy of this Resolution to Major Royce at Great Falls, Montana.

SOUTHMAYD, Chairman.

Aviation Committee.

KELLY, Chairman,

Military Affairs.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Parker of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 29, 192, 206, 232, 209, 191, 124, 235, 144, 255, 236, 237; Substitute House Bill No. 46, recommend the following:

All amendments applying to the printed bill, unless otherwise stated.

That House Bill No. 29 be amended as follows: Amend the title by inserting in line 3 thereof, between the words "housework" and "and", the words "and all female employees of hospitals," and to amend Section 1 of said bill by inserting in line 4 thereof, between the words "housework" and "for," the following words: "and all female employees of hospitals"; amend Section 1 by striking out in line 15, the period and adding the following: "the provisions of this Act shall not apply to female persons employed in picking beans or peas"; amend Section 1 by adding thereto the following: "This Act shall not apply to cities or towns of twelve thousand (12,000) population or less nor to employees on farms"; amend Section 1 in line 11 by striking the word "verbal" and inserting in lieu thereof the word "oral" and that the Chief Clerk amend the title to conform with the amendments in the bill; amend by striking the entire title of the printed bill and inserting in lieu thereof the following: "A Bill for an Act entitled: 'An Act to provide for a minimum compensation for female persons employed in any occupation within the State of Montana, excepting

housework and all female employees of hospitals, and or work performed by students and apprentices in hospitals and schools, and excepting those employed in picking beans and or peas or employed under existing contract where the wages amount to sixteen dollars (\$16.00) per week or more, and excepting farms and certain cities and towns from the provisions of this Act and providing penalty for violation thereof.'” And, as amended do pass and be mimeographed and placed upon the desks of the members before Third Reading.

That Substitute House Bill No. 46 do pass.

That House Bill No. 192 do pass.

That House Bill No. 206 be amended as follows: Amend the title by striking out the period at the end thereof and changing same to a comma, and adding the following words: “Calls for bids therefor by the State Purchasing Agent and providing for the performance of such work within the State of Montana by Montana Labor, subject to the limitations herein”; and as amended do pass.

That House Bill No. 232 be passed for the day.

That House Bill No. 209 be amended as follows: Amend Section 1 by striking out in line 27 in sub-division “C” the word “five” and inserting in lieu thereof the words “two”; and as amended do pass.

That House Bills Nos. 191 and 124 be passed for the day.

That House Bill No. 235 do pass.

That House Bill No. 144 do pass. The clerk was instructed to number the sections numerically and the sub-sections alphabetically in House Bill No. 144.

That House Bill No. 255 be passed for the day.

That House Bill No. 236 do pass.

That House Bill No. 237 be amended as follows: Amend by striking out the words in line 15 of the engrossed bill, “sell or offer for sale” and insert in lieu thereof the words “buy or offer to buy” and as amended do pass.

PARKER, Chairman.

On motion of Parker, report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following correctly enrolled: House Bills Nos. 102, 104, 105, 106 and 112.

MONAHAN, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bills Nos. 137 and 204.

EWING, Chairman.

Without objection, report adopted.

I have read House Bills Nos. 102, 104, 105, 106 and 112, as reported from the Enrolling Committee and certify same to be correct.

BOONE.

The Speaker announced he was about to sign House Bill No. 102, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 104, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 105, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 106, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 112, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker named the following to act as conference committee on Senate amendments to House Bill No. 63: Haight, Fowler and Toomey.

MOTIONS AND RESOLUTIONS

It was moved by Burris, duly seconded and carried, that the House reconsider its action on House Bill No. 137.

It was moved by Burris, duly seconded and carried, that House Bill No. 137 be taken from Third Reading and placed on General Orders.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Thursday, 10:30 o'clock A. M., February 14th, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

THIRTY-NINTH DAY

House of Representatives,
Helena, Montana, February 14, 1935.

House convened, pursuant to adjournment, at 10:30 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by Chaplain.

A quorum was present. The following were excused: Stimatz.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the thirty-eighth legislative day, find the same to be correct.

QUIGLEY, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing, beg leave to report the following correctly printed: House Bills Nos. 276, 264, 277, 120, House Joint Resolution No. 5 and House Joint Memorial No. 8.

McCAUSLAND, Chairman.

Without objection, report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We your Committee on Judiciary, having had under consideration Senate Bill No. 25, entitled: "An Act legalizing the validating all elections heretofore held in any city or town of this state, authorizing the creation or increase of the indebtedness of such city or town within or exceeding three per centum (3%) of the total assessed valuation of the taxable property of said city or town, as ascertained by the last assessment for state and county purposes, for any of the purposes set forth in subdivision 64, Section 5039, Revised Codes of Montana, 1921, as amended,

and Section 1, Chapter 160, Session Laws of Montana, 1931, or under the provisions of Chapter 24 of the Extraordinary Session of the Twenty-third Legislative Assembly, which elections were held after notice published and posted, as provided in Section 5279, or Section 8, Chapter 160, of the Session Laws of Montana of 1931, at which the proposal to create or increase said indebtedness received a majority of all votes tendered and of all votes cast at such election," respectfully report as follows: That Senate Bill No. 25 be concurred in.

BOONE, Chairman.

On motion of Foor, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 263, entitled: "An Act relative to the employment by House of Representatives of House reporters; defining their duties; and restricting the criticism of speeches of members of the House of representatives by newspapers and other publications," respectfully report as follows: That House Bill No. 263 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 304, entitled: "An Act to amend Section 8896, Revised Codes of Montana, 1921, to repeal the entire Section 8900, 8901 and to amend Section 8905 relating to selection of trial jurors; to devise ways and means by which all taxpayers would have a chance to serve as jurors if so desired," respectfully report as follows: That House Bill No. 304 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 253, entitled: "An Act to repeal Chapter 120 of the Session Laws of the Twenty-third Legislative Assembly of the State of Montana, Regular Session, 1933," respectfully report as follows: That House Bill No. 253 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 76, entitled: "An Act providing for the mortgaging of the right of dower of an insane married woman, and providing for the appointment of a guardian of an insane married woman when her only property is right of dower in her husband's real estate," respectfully report as follows: That Senate Bill No. 76 be concurred in.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Memorial No. 25, entitled: "A Memorial memorializing the Congress of the United States, and the Secretaries of Agriculture, and of the Interior, to conduct a thorough investigation into the complaints of ranchers residing in the Tom Minor Basin, with reference to the action of the national park service, and the game preservation association, in withdrawing 43 square miles of range land from the use of said ranchers, and annexing such land to Yellowstone National Park," respectfully report as follows: That House Memorial No. 25 do pass.

SHERMAN, Chairman.

On motion of Sherman, report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 12, entitled: "An Act providing for the dissolution of herd districts or portions thereof in the State of Montana," respectfully report as follows: That House Bill No. 12 do not pass, but that Substitute House Bill No. 12 do pass.

SHERMAN, Chairman.

On motion of Sherman, report adopted.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 66, entitled: "An Act to amend Section 5714, Revised Codes of Montana, 1921, relating to marriage license and defining refusal of same; and providing for certificates of health for applicants; its contents, and who shall execute same," respectfully report as follows: That House Bill No. 66 do not pass, but that Substitute for House Bill No. 66 do pass.

YORK, Chairman.

On motion of York, report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 279, entitled: "An Act prohibiting the sale of beer to minors and fixing the penalty therefor," respectfully report as follows: That House Bill No. 279 do not pass, but that Substitute House Bill No. 279, do pass.

MONAHAN, Chairman.

On motion of Monahan, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

The Speaker,
House of Representatives,
Helena.

I have the honor to advise that I have this day approved the following House measures:

H. B. No. 43, providing for the continuation of the codification of the Revised Codes of Montana of 1935.

H. B. No. 61, relating to the powers of Clerks of the District Courts.

H. B. No. 83, relating to the manner in which the State Auditor shall pay license fees to the fire department relief associations.

H. B. No. 96, concerning declaratory judgments and decrees.

H. B. No. 101, relating to scope of Chapter 40, Political Code, dealing with official bonds.

H. B. No. 107, relating to the mileage of jurors and witnesses.

H. B. No. 108, relating to the duty of County Commissioners to audit county charges.

H. B. No. 109, relating to the license tax on gross proceeds of electricity and electrical energy.

H. B. No. 110, relating to traffic on bridges, repealing Section 11252 of the Revised Codes of 1921.

H. B. No. 111, repealing Sections 4680-4711, Revised Codes of 1921, relating to authority of counties to incur indebtedness for the purpose of aiding the destitute.

F. H. COONEY, Governor.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several

times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence:

S. B. No. 27.
S. B. No. 62.
S. B. No. 67.
S. B. No. 75.
S. B. No. 77.
S. B. No. 78.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 80, by Foor, was this day read third time and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence in the Senate, reports adopted, and bills are returned herewith:

H. B. No. 70.
H. J. M. No. 1.
H. J. M. No. 2.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 177 was this day read third time and concurred in, title and history agreed to, and bill is herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Governor this day advised the Senate that he had approved Senate Bills Nos. 15 and 65.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that at the request of the House, the President of the Senate this day appointed the following Senators to act as a Conference Committee with a like committee from the House for consideration of Senate amendments to H. B. No. 63: Meyer, Hollenback, Cotter.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that further messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day gave notice that he was about to sign and did sign in open session:

S. B. No. 19.

S. B. No. 42.

S. B. No. 1.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motions were this day made, duly seconded and carried:

On motion, S. B. No. 84 was taken from Third Reading and re-referred to General File.

On motion, H. B. No. 64 was recalled from the House, Third Reading of yesterday was reconsidered, and on motion the bill was re-referred to the Committee on Banks and Banking.

On motion, S. B. No. 45 was take from General File and re-referred to the Committee on Banks and Banking.

On motion, S. B. No. 81 was placed on General File.

On a substitute motion, H. B. No. 70 was not concurred in.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Kelsey: A Bill for an Act entitled: "An Act to amend Section 3, Chapter 20, Extraordinary Session, of the Twenty-third Legislative Assembly of 1933 and 34, and providing a county director of emergency relief and an advisory council."

By Simmons: A Bill for an Act entitled: "An Act establishing and defining the boundary line between Park and Carbon Counties."

By Garrison: A Bill for an Act entitled: "An Act to amend Section 6170 and Section 6183 of Chapter 16 of the Revised Codes of Montana relating to rural mutual fire insurance companies."

By Murphy: A Bill for an Act entitled: "An Act pertaining to purchases made in retail stores; providing for sales slips; providing penalties for the violation thereof."

By Clifford: A Bill for an Act entitled: "An Act amending Section 3 of Chapter 8 of the Session Acts of the Extraordinary Session of the Twenty-third Legislative Assembly of Montana, 1933-34, relating to exceptions from said Act prescribing the hours of labor of said employees."

By Campbell and Larson: A Bill for an Act entitled: "An Act to amend Section 10 of Chapter 105 of the Session Acts of the Twenty-third Session, 1933, limiting the number of state liquor stores."

By Oliver: A Bill for an Act entitled: "An Act relating to building and loan associations, and requiring such associations to annually file with County Assessors statements showing the names of their stockholders, amounts standing to the credit of the shares of stock of such stockholders, and amounts owing to such associations on account of loans made to such stockholders, and providing a penalty for failure to file such statements."

By Benjamin and Nass: A Bill for an Act entitled: "An Act to amend Section 3 of Chapter 108 of the Session Acts of the Twentieth Legislative Assembly of Montana of 1927 relating to oil and gas leases on state lands and authorizing the State Board of Land Commissioners to grant exploratory permits covering not to exceed two thousand five hundred sixty (2560) acres of land for the purpose of testing undeveloped areas or structures for oil and gas."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time, and referred to committees:

S. B. No. 116, by Kilduff: A Bill for an Act entitled: "An Act to amend Sections 9256, as amended, and 9257 of the Revised Codes of Montana of 1921, relating to attachments and affidavits therefor." To Judiciary Committee.

S. B. No. 117, by Committee on Banks and Banking: A Bill for an Act entitled: "An Act to amend Section 8 of Chapter 89 of the Laws of the Twentieth Legislative Assembly of 1927, relating to the amount of capital stock and surplus necessary to the procuring of certificate of authorization, for the establishment of a commercial bank, and providing further for the fixing of the amount of capital stock and surplus necessary in cities or towns of different population." To Banks and Banking.

S. B. No. 118, by Garrison: A Bill for an Act entitled: "An Act to amend Section 6170 and Section 6183 of the Revised Codes of Montana, 1921, relating to rural mutual fire insurance companies." To Insurance.

S. B. No. 119, by Delaney, by request: A Bill for an Act entitled: "An Act to establish a State Board of Examiners in the basic sciences to provide for its organization and powers, to provide that certification by such board be a pre-requisite to eligibility for examination to practice the healing arts, to provide the fees required for the taking of an examination in the basic sciences, to provide for such examination, to define basic science, to define the healing arts, and to provide the penalties for violation of this Act." To State Boards and Offices.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Fish and Game:

That H. B. No. 139 be concurred in.

That S. B. No. 86 do pass.

That S. B. No. 113 be amended in Section 5, line 16, by placing a period after the word "approval" and by striking the remainder of the Section; and as so amended, do pass.

Reports adopted.

Judiciary:

That S. B. No. 97 do pass.

That S. B. No. 90 do pass.

That S. B. No. 103 be amended in the title by inserting after the figures "1921" in line 6, the words "as amended by Chapter 12 of the Session Laws of 1927, and", and as so amended, do pass.

That H. B. No. 118 be amended by inserting in line 19, Section 2, after the word "of" the word "Montana", and as so amended, be concurred in.

That H. B. No. 130 be concurred in.

That H. B. No. 182 be amended by placing quotation marks before the word "Section" in line 12, and by placing quotation marks after the figures "12078" in line 19, and as so amended, recommend same be concurred in.

Report adopted.

Labor and Capital: That H. B. No. 91 be amended by inserting after the word "Act" in line 17, printed bill, the words: "Provided that this Act shall not be operative as to cities of the second class unless the city council, city commission or other governmental body thereof shall by ordinance adopt same";

By inserting quotation marks before the word "Section" in line 4 of the printed bill, Section 1;

In the title by inserting after the first word "Thereof" in line 10, printed bill, the words: "Providing the Act shall not be operative as to cities of the second class unless the city council, city commission or other government body shall by ordinance adopt this Act," and as so amended, recommend same be concurred in.

State Boards and Offices: That H. B. No. 202 be concurred in.

Banks and Banking: That H. B. No. 136 be concurred in.

Printing: Reported S. B. Nos. 87, 91, 92, 101 and 109 correctly printed.

Enrolled bills: Reported S. B. Nos. 1, 19 and 42 correctly enrolled.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That Sub. for Sub. S. B. No. 8 do pass.

That S. B. No. 64 do not pass.

That S. B. No. 95 do pass.

That H. B. No. 178 be amended in Section 1 by striking out in line 8 the amendment of "One Dollar" and inserting in lieu thereof the words, "Three Dollars and Seventy Cents", and as so amended, be concurred in.

That H. J. M. No. 1 be not concurred in.

That H. J. M. No. 2 be not concurred in.

That S. B. No. 81 be amended in Section 8 by adding at the end of the Section, after the word "absence", the following:

"Provided, however, that any woman eligible for jury duty under the provisions of this Act, shall be entitled to and shall be excused from such duty upon request made to the presiding judge if she has the care of a home or is otherwise employed."

That same be further amended in Section 8 by striking out in line 6, printed bill, the first word "of" and inserting in lieu thereof the word "or";

Be further amended in Section 8 by striking out in line 7, printed bill, the word "required", and inserting in lieu thereof the word "requires."

Be further amended in Section 8, line 7, printed bill, by inserting the words "or her" after the second word "his"; and as so amended, recommend said S. B. No. 81 do pass.

Report adopted.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following correctly enrolled: House Bills Nos. 34, 72, 77, and House Joint Memorials Nos. 4 and 6.

MONAHAN, Chairman.

Without objection, report adopted.

I have read House Joint Memorial No. 4 as reported from the Enrolling Committee and certify same to be correct.

AHLGREEN.

I have read House Joint Memorial No. 6 as reported from the Enrolling Committee and certify the same to be correct.

NUTTING.

I have read House Bill No. 34 as reported from the Enrolling Committee and certify same to be correct.

AHLGREEN.

I have read House Bill No. 72 as reported from the Enrolling Committee and certify same to be correct.

LEAVITT.

I have read House Bill No. 77 as reported from the Enrolling Committee and certify same to be correct.

ECTON.

The Speaker announced he was about to sign House Joint Memorial No. 4 whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Joint Memorial No. 6 whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 34 whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 72 whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 77 whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

MOTIONS AND RESOLUTIONS

It was moved by Spiegel, duly seconded and carried, that consideration of Substitute House Bill No. 42 be passed for the day.

It was moved by Ahlgreen, duly seconded and carried, that House Bill No. 232 be taken from General Orders and re-referred to the Committee on Dairying.

It was moved by O'Byrne, duly seconded and carried, that House Bill No. 255 be taken from General Orders and re-referred to the Committee on Labor.

It was moved by Ewing, duly seconded and carried, that House Bill No. 223 be taken from General Orders and re-referred to the Committee on Fish and Game.

It was moved by Burris, duly seconded, that the House reconsider its action on House Bill No. 29.

A roll call was demanded by the required number and the motion was carried by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Burris, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Fowler, Goodwin, Gordon, Groene (Fergus), Hall, Hamilton, Harwood, Haugan, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, Logan, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Toomey, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 85.

Noes: Acher, Green (Dawson), Harlen, Heavlin, Kelly, Watson, White (Judith Basin). Total 7.

Absent and not voting: Boone, Busch, Ewing, Foor, Gray, Haight, Monahan, Moss, Stimatz, Stromnes. Total 10.

The Speaker: 85 have voted "aye," 7 have voted "no"; motion is carried.

It was moved by Byrne, duly seconded and carried, that House Bill No. 120 and Substitute House Bill No. 120 be re-referred to the Committee on Public Health and Sanitary Affairs.

It was moved by O'Connor, duly seconded and carried, that Substitute House Bill No. 46 be recalled from the Committee on Engrossing and placed on General Orders.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF THE SAME

The following were introduced, read first and second time, and referred to committees: All appropriation measures having been read at length.

Senate Bill No. 27, introduced by Clifford: A Bill for an Act entitled: "An Act requiring all railroad engines and locomotives to be equipped with a rear pilot and a rear head light; providing penalties for the violation of this Act, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Railroads and Transportation.

Senate Bill No. 62, introduced by Meyer and Hammond: A Bill for an Act entitled: "An Act amending Section 8412 R. C. M. 1921, as amended by Chapter 143 of the Session Acts of the Eighteenth Legislative Assembly of Montana of 1923, relating to provisions affecting the negotiability of instruments." Referred to the Committee on Judiciary.

Senate Bill No. 67, introduced by Blankenbaker: A Bill for an Act entitled: "An Act to amend Section 5308 R. C. M. 1921, as amended by Chapter 54 of the Session Acts of the Twenty-first Legislative Assembly of Montana of 1929, relating to the vacation of plats in abandoned townsites, and repealing all Acts in conflict herewith." Referred to the Committee on Affairs of Cities.

Senate Bill No. 75, introduced by Oliver: A Bill for an Act entitled: "An Act to amend Section 138 of Chapter 89 of the Laws of the Twentieth Legislative Assembly of 1927, relating to disposition of assets, remaining after payments of claims, of banks in liquidation by the Superintendent of Banks and final closing of trust." Referred to the Committee on Banks and Banking.

Senate Bill No. 77, introduced by Simmons: A Bill for an Act entitled: "An Act to amend Section 9122 of the Revised Codes of Montana, 1921, relating to proof of service of summons and complaint—how made." Referred to the Committee on Judiciary.

Senate Bill No. 78, introduced by Simmons: A Bill for an Act entitled: "An Act to amend Section 10637 of the Revised Codes of Montana, 1921, relating to evidence of publication—what constitutes." Referred to the Committee on Judiciary.

House Bill No. 325, introduced by Committee on Townships and Counties, by request: A Bill for an Act entitled: "An Act authorizing counties to frame charters for their own government consistent with and subject to the Constitution of Montana." Referred to the Committee on Townships and Counties.

House Bill No. 326, introduced by Committee on Townships and Counties, by request: A Bill for an Act entitled: "An Act authorizing counties and incorporated cities and towns to consolidate and to frame charters for the government of such consolidated counties, cities and towns." Referred to the Committee on Townships and Counties.

House Bill No. 327, introduced by Committee on Agriculture: A Bill for an Act entitled: "An Act for compulsory state laboratory protein testing of all wheat delivered to public grain warehouses in the State of Montana, and to establish standard rules governing the testing of wheat for protein in marketing or handling by grain warehousemen, and fixing the fees for making such tests and providing penalties for violations of this Act." Referred to the Committee on Agriculture.

House Bill No. 328, introduced by Rolph, Haight, Moss, Byrne, Kruse and Lott: A Bill for an Act entitled: "An Act to regulate the nomination and election of the State Superintendent of Public Instruction and the County Superintendent of Schools; providing for a primary ballot and a general election ballot without party designation for the nomination and election of said officers; providing the form of nominating petitions for the offices aforesaid; designating the form and arrangement of ballots to be used at said elections; adopting the provisions of existing primary and general election laws to the elections providing for in this Act, and repealing all Acts and parts of Acts in conflict herewith." Referred to the Committee on Privileges and Elections.

House Bill No. 329, introduced by Heavlin: A Bill for an Act entitled: "An Act to amend Section 5771, Revised Codes of Montana, 1921, relating to support of wife and children on divorce or separation granted to wife, and providing for modification of the judgment." Referred to the Committee on Public Morals, Charities and Reforms.

House Bill No. 330, introduced by Stevens: A Bill for an Act entitled: "An Act to amend Section 135 of the Revised Codes of Montana of 1921,

as amended by Chapter 22 of the Laws of the Twenty-first Legislative Assembly of 1929, and Sections 303, 384, and 521 of the Revised Codes of Montana of 1921, relating to the distribution of public documents and reports." Referred to the Committee on Judiciary.

House Bill No. 331, introduced by the Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act providing for the registration of public contracts, and defining the term public contractors; providing the method of obtaining a license to engage in the business of public contracting in the State of Montana; fixing the fee for such licenses and providing the method of suspension, cancellation, and reinstatement thereof; prescribing penalties for violation of this Act, and repealing Chapter 55 of the Laws of the Extraordinary Session of the Twenty-third Legislative Assembly of the State of Montana." Referred to the Committee on Revenue and Taxation.

House Bill No. 332, introduced by Goodwin, Byrne, O'Byrne, Emmons, and Spiegel: A Bill for an Act entitled: "An Act relating to the furnishing of free text-books to pupils attending school, public or otherwise, including high schools, within the State of Montana, and amending Section 1198, Revised Codes of Montana of 1921." Referred to the Committee on Education.

House Bill No. 333, introduced by Foor: A Bill for an Act entitled: "An Act providing for the printing and distribution of the Revised Codes of Montana of 1935 and appropriating money therefor." Referred to the Committee on Appropriations.

House Bill No. 334, introduced by White of Judith Basin: A Bill for an Act entitled: "An Act to amend Section 4461 of the Revised Codes of Montana of 1921, relating to the duties of the Board of County Commissioners." Referred to the Committee on Townships and Counties.

House Bill No. 335, introduced by the Committee on Labor: A Bill for an Act entitled: "An Act to amend Section 10 of Chapter 66 of the Session Laws of the Eighteenth Legislative Assembly of Montana of 1923, relating to the governing of the State Purchasing Department and the manner of purchasing supplies and allowing purchase of Montana produce or manufactured products under certain conditions and allowing a differential in price to be paid therefore." Referred to the Committee on Labor.

House Bill No. 336, introduced by Leavitt: A Bill for an Act entitled: "An Act to amend Section 10170 of the Revised Codes of Montana, 1921, relating to the giving of notice to creditors in estates of deceased persons, providing when such notice need not be given; providing for the manner of giving such notice; and repealing all Acts and parts of Acts in conflict herewith." Referred to the Committee on Judiciary.

House Bill No. 337, introduced by Balgord and Liggett: A Bill for an Act entitled: "An Act to provide for the inspection and analysis of commercial feeding stuffs and by whom and to regulate the sale thereof in the State of Montana; to define the term commercial feeding stuffs; to provide for guarantees of the ingredients of commercial feeding stuffs and affixing labels to the packages thereof; to prohibit the sale of fraudulent or adulterated commercial feeding stuffs; to regulate and license the sale of commercial feeding stuffs; to fix the penalties for the violation of the provisions of this Act." Referred to the Committee on Agriculture.

House Bill No. 338, introduced by Leavitt: A Bill for an Act entitled: "An Act to amend Section 10040 of the Revised Codes of Montana, 1921, relating to the proceedings on the production of a foreign will; providing for the hearing of the petition for the probate thereof without notice; and repealing all Acts and parts of Acts in conflict herewith." Referred to the Committee on Judiciary.

House Bill No. 339, introduced by Watson and Brennan: A Bill for an Act entitled: "An Act relating to the regulation of auctioneers, and to amend Sections 4147 and 4148, and to repeal Sections 4151, 4152, 4153, 4154, 4155 and 4156, Revised Codes of Montana, 1921." Referred to the Committee on State Boards and Officers.

House Bill No. 340, introduced by Leavitt: A Bill for an Act entitled: "An Act to amend Section 2866 of the Revised Codes of Montana, 1921, as amended by Section 5 of Chapter 121 of the Nineteenth Legislative Assembly of 1925, relating to the Workmen's Compensation Law, defining 'major dependent' and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Workmen's Compensation.

House Bill No. 341, introduced by Leavitt: A Bill for an Act entitled: "An Act to amend Section 10025 of the Revised Codes of Montana, 1921, relating to the notice of hearing of petition for probate of will; providing the notice to be given; the manner of giving notice; the length of time such notice shall be given; and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 342, introduced by Lasby: A Bill for an Act entitled: "An Act levying an annual business tax on banks for the privilege of doing business; providing for the administration and enforcement; prescribing penalties for the violation thereof." Referred to Committee on Banks and Banking.

House Bill No. 343, introduced by Burris: A Bill for an Act entitled: "An Act creating a state department of Public Relief and providing for the appointment, qualifications, terms of office, powers, duties and compensation of the Montana Relief Commission, the Montana Relief Administrator and the Secretary of the Montana Relief Commission; the establishment of a relief fund defining the purposes and directing the administration thereof, and directing the distribution of moneys to said fund; appropriating a million five hundred thousand dollars (\$1,500,000.00) per annum, for the Montana Relief Commission, for a period beginning the first day of March, 1935, and ending the first day of March, 1937; appropriating to the use of the Montana Relief Commission herein created all funds heretofore appropriated to the use of the existing Montana Relief Commission; providing for the administration of Federal funds made available for the purposes set out in this Act; directing effective and efficient cooperation with Federal authorities or agencies or to be created by Act of Congress, or created or to be created by the executive of the United States or executive department thereof; providing for the keeping of records and reports of all disbursements made of such funds and moneys and a method of examination and audit of same; providing for the acquisition of property; providing for contracts with the United States, and repealing all of Chapter 45 of the Session Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933, and all of Chapters 20 and 56 of the Laws of the Twenty-third Extraordinary Legislative Assembly of the State of Montana, 1933-34, and all Acts or parts of Acts in conflict with this Act." Referred to Committee on State Boards and Officers with instructions to turn same over to the Committee on Appropriations after action has been taken thereon.

House Bill No. 344, introduced by Foor: A Bill for an Act entitled: "An Act to amend Section 11005, Revised Codes of Montana, 1921, relating to lewd and lascivious acts upon children." Referred to Committee on Public Morals, Charities and Reforms.

House Bill No. 345, introduced by Ahlgreen: A Bill for an Act entitled: "An Act to amend Section 2819 of the Revised Codes of the State of Montana of 1921, relating to Industrial Accident Board, qualification of members thereof, compensation, term and salary." Referred to Committee on Workmen's Compensation.

House Bill No. 346, introduced by Minette: A Bill for an Act entitled: "An Act to authorize the trustees of any school district, the county commissioners of any county or the city or town council of any city or town of the State of Montana to issue or grant oil and or gas leases on any or all land or lands under their control." Referred to Committee on Petroleum Oil and Gas.

House Bill No. 347, introduced by Minette: A Bill for an Act entitled: "An Act to amend Section 2 and to repeal Sections 3, 4 and 5 of Chapter 119 Acts of the Twentieth Legislative Assembly of the State of Montana, and being an Act entitled: 'An Act creating the State Common School Equalization Fund; providing what moneys shall constitute such fund; making the State Board of Education the Common School Equalization Board; providing for the powers and duties of said Board; providing the method for determining the distribution of such fund and repealing all Acts and parts of Acts in conflict with this Act.'" Referred to Committee on Education.

House Bill No. 348, introduced by Emmons and Leavitt: A Bill for an Act entitled: "An Act to amend Sections 715 and 716, of the Revised Codes of Montana, 1921, relating to voting by absent electors and electors who because of illness or other physical incapacities can not attend the polls; providing method of making application for official ballot by such persons and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Privileges and Elections.

House Bill No. 349, introduced by Lott: A Bill for an Act entitled: "An Act to amend Sections 112, 4235 and 4237, Revised Codes of Montana, 1921, and Section 4, of Chapter 31, Laws of 1933, relating to the State Sealer of Weights and Measures and providing for the transfer of the Standards of Measure from the office of the Secretary of State to the Scale Division of the Department of Agriculture." Referred to Committee on Public Utilities and State Commissions.

House Bill No. 350, introduced by Joffray: A Bill for an Act entitled: "An Act to amend Section 11159, Revised Codes of Montana, 1921, prohibiting gambling games, said amendment providing for the playing of certain games for amusement and pastime, and the use in places of business of trade stimulators upon the payment of a license to the County Treasurer, and providing a penalty for the violation thereof." Referred to Committee on Public Morals, Charities and Reforms.

House Bill No. 351, introduced by Chamberlain, Kathan, Ahlgreen, Rolph, Holding, Foor and others: A Bill for an Act entitled: "An Act making it mandatory upon the State Highway Commission to perform all highway construction work within the State of Montana, directly under the supervision of the Highway Commission by employing all labor on a 'day labor basis,' and providing further that the Highway Commission shall furnish all equipment and materials for the performance of said work and providing a penalty and forfeiture for failure to carry out the provisions of this Act." Referred to Committee on Highways.

House Bill No. 352, introduced by Committee on Economy, by request: A Bill for an Act entitled: "An Act relating to Deputy County Attorneys in counties of the Sixth and Seventh Class, providing for employing special counsel in certain cases, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Economy.

House Bill No. 353, introduced by Committee on Judiciary for the Code Commissioner: A Bill for an Act entitled: "An Act relating to the codification and general revision of the Laws of Montana, repealing Sections 222, 653, 736 through 756 inclusive, 1033, 1570 through 1575 inclusive, 1583 through 1602 inclusive, 2097 through 2110 inclusive, 2162, 2221, 2273 through 2293 inclusive, 2384 as amended by Chapter 186 of the Laws of

1925, 2385, 2386, 2387, 2388, 2389 as amended by Chapter 186 of the Laws of 1925, 2390, 2391, 2392 as amended by initiative measure number 31, Laws of 1927, 2418, 2437, 2774, 3549, 5215, 5357 through 5365 inclusive, and 9982 through 9989 inclusive, of the Revised Codes of Montana of 1921." Referred to Committee on Judiciary.

House Bill No. 354, introduced by Leary: A Bill for an Act entitled: "An Act to amend Section 378 and Section 8796 of the Revised Codes of Montana of 1921, relating to the duties and salaries of the justices of the Supreme Court." Referred to Committee on Judiciary.

House Bill No. 355, introduced by Leavitt and Burris: A Bill for an Act entitled: "An Act to amend Sections 3651 and 3652 of the Revised Codes of Montana, 1921, relating to the members of the State Fish and Game Commission; providing for the division of the State of Montana into commissioner districts, the method of nominating and electing said commissioners; their terms of office, and the filling of vacancies; providing for the qualification of said commissioners, the organization of the board, the holding of meetings and the transaction of business; providing that present board to continue in office and present law to remain in effect until the election and qualification of the new board and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Fish and Game.

House Bill No. 356, introduced by Leary: A Bill for an Act entitled: "An Act to amend Section 200 of the Revised Codes of Montana of 1921, relating to the salary of the Attorney General." Referred to Committee on State Boards and Officers.

House Bill No. 357, introduced by Chamberlain: A Bill for an Act entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Section 9 of Article XIX of the Constitution of the State of Montana relative to the proposal of Constitutional amendments, said amendment being for the purpose of changing the number of amendments allowed to be submitted at each election to ten." Referred to Committee on Constitutional Amendments.

House Bill No. 358, introduced by Toomey: A Bill for an Act entitled: "An Act making an appropriation for the purpose of paying claims for refund of inheritance taxes erroneously and illegally collected by the State of Montana." Referred to Committee on Appropriations.

House Bill No. 359, introduced by Moss and Kelly: A Bill for an Act entitled: "An Act providing for reversion to the Montana Soldiers' Home of money left by deceased members." Referred to Committee on Military Affairs.

House Bill No. 360, introduced by Fowler: A Bill for an Act entitled: "An Act amending Section 3122 of the Revised Codes of Montana of 1921, relating to the practice of medicine; defining what Acts shall constitute such practice and providing penalties for the violation of said section." Referred to Committee on Public Health and Sanitary Affairs.

House Bill No. 361, introduced by Fowler: A Bill for an Act entitled: "An Act to amend Sections 1 and 7, of Chapter 104, of the Session Laws of 1929, relating to an Act to regulate the occupation of hair dressers and cosmetologists, providing rules for the teaching and licensing thereof." Referred to Committee on Public Health and Sanitary Affairs.

House Bill No. 362, introduced by Heavlin: A Bill for an Act entitled: "An Act to reduce taxes on real and personal property by limiting the levies which may be made by Boards of County Commissioners and City and Town Councils and Commissioners for county, school and municipal taxes." Referred to Committee on Ways and Means.

House Bill No. 363, introduced by Padbury, by request: A Bill for an Act entitled: "An Act to repeal Sections 1761 and 1762 of the Revised Codes of Montana, 1921, relating to the licensing of chauffeurs and penalties for violations thereof." Referred to Committee on Public Safety.

House Bill No. 364, introduced by Ormsbee: A Bill for an Act entitled: "An Act amending Section 1, of Chapter 65 of the Laws of the Eighteenth Legislative Assembly, 1923, relating to a tax on inheritances and transfers of property, said amendment providing for an extension of the time within which certain transfers shall be liable to taxation and for the determination of the time as to when such transfers will be presumed to have been made; adding certain duties to the State Registrar of Vital Statistics in connection with the report of deaths and to County Clerks in regard to reports to the State Board of Equalization of certain property transfers." Referred to Committee on Revenue and Taxation.

House Bill No. 365, introduced by O'Byrne: A Bill for an Act entitled: "An Act to preserve the coal resources of the State of Montana from too rapid exhaustion without corresponding benefit to the state and to classify methods of mining coal and to distinguish underground minings of coal from strip mining of coal and open pit mining of coal; and an Act to amend Sections 2316 to 2326, Revised Codes of Montana, 1921, as amended by the Session Laws of the Twenty-second Legislative Assembly of the State of Montana, requiring every person, firm, association, joint stock company and corporation, engaged in or carrying on the business of coal mining, or engaged in working or operating any mine or mining property in the State of Montana, from which coal is mined, produced or extracted, to pay to the State Treasurer for engaging in and carrying on such business by any method, certain license taxes for the exclusive use and benefit of the State of Montana; fixing the amount and disposition of such license taxes; prescribing a method for the assessment and collection thereof; and prescribing the penalties for the violations of the provisions of this Act." Referred to Committee on Revenue and Taxation.

House Bill No. 366, introduced by Boone: A Bill for an Act entitled: "An Act to enable the State of Montana to protect and conserve the musical instruments and musical library generously donated by W. A. Clark, Jr., in his lifetime, for the use of the prisoners confined in the State Prison at Deer Lodge; intended to take full advantage of the trust fund created by W. A. Clark, Jr., in his lifetime for the furnishing, repairing and supplying of musical instruments for the use of prisoners confined in the State Prison, so long as a band shall be maintained; and making appropriation for carrying out the purposes of this Act." Referred to Committee on Appropriations.

House Bill No. 367, introduced by Ballard: A Bill for an Act entitled: "An Act to amend Section 4917 of the Revised Codes of Montana of 1921 regulating the fees of County Clerks." Referred to Committee on Townships and Counties.

House Bill No. 368, introduced by Smith: A Bill for an Act entitled: "An Act to repeal Section 170, Revised Codes of Montana, 1921, relating to the abstracting of life insurance policies. Referred to Committee on Insurance.

House Bill No. 369, introduced by O'Connor: A Bill for an Act entitled: "An Act establishing and defining the boundary line between Park and Carbon Counties." Referred to Committee on New Counties and Divisions.

House Bill No. 370, introduced by Ormsbee: A Bill for an Act entitled: "An Act to amend Section 715, Revised Codes of Montana, 1921, dealing with absent voters, providing for voting by electors necessarily absent from their precincts or unable to attend the polls because of physical disability; and to amend Sections 716 and 720, Revised Codes of Montana,

1921, and Section 717, Revised Codes of Montana, 1921, as amended by Section 1, Chapter 151, Laws of 1923, all relating to the application for an Absent Voter's Ballot and to the form, mailing and return of such ballot." Referred to Committee on Privileges and Elections.

House Joint Memorial No. 10, introduced by Committee on Agriculture: A Memorial to the President and the Congress of the United States relating to the administration of Federal Farm Loans by the Federal Land Bank located at Spokane, Washington, and other agencies in relation to loans upon farms within the State of Montana." Referred to Committee on Agriculture.

Substitute House Bill No. 12, introduced by Committee on Livestock and Public Ranges: A Bill for an Act entitled: "An Act providing for the dissolution of herd districts or portions thereof in the State of Montana." Referred to Committee on Printing.

Substitute House Bill No. 66, introduced by Holding and the Committee on Public Health and Sanitary Affairs: A Bill for an Act entitled: "An Act to amend Section 5714, Revised Codes of Montana, 1921, relating to marriage license and defining refusal of same; and providing for certificates of health for applicants; its contents, and who shall execute same." Referred to Committee on Printing.

Substitute House Bill No. 279, introduced by Committee on Public Morals, Charities and Reforms: A Bill for an Act entitled: "An Act prohibiting the sale of beer to minors and fixing the penalty therefor." Referred to Printing Committee.

MOTIONS AND RESOLUTIONS

The following resolution was adopted on motion of Harlen, duly seconded and carried:

A Resolution appointing a Special Committee for the purpose of Assembling data concerning the corporation license tax, requiring the committee to secure a report from the State Board of Equalization in this matter, or from any other source, and to report such information back to the House of Representatives.

Whereas, there has been, and continues, a necessity for revenue for the state due to the financial strain upon our state government; and

Whereas, Sections 2296 to 2304, Revised Codes of Montana, 1921, set up a source of securing much needed revenue, and

Whereas, it is reported that there is a great abuse and neglect of these laws, either in that there is an evasion by the corporations to file their return, or a failure by the Board of Equalization to collect such license or to require the payment of such, and

Whereas, it is reported that many foreign corporations fail and neglect to file their articles of incorporation with the Secretary of State as a requisite to do business in this state and thus free themselves from civil suit because of means of service, and

Whereas, no data has been compiled for the information of the assembly relative to the success of these revenue laws and to what degree evasions exist, and such information should be available in the office of the Board of Equalization, and

Whereas, it seems that information covering a term of years is necessary for the proper consideration of this subject, and that such information should be available to this and future assemblies;

Now Therefore, Be It Resolved by the House of Representatives of the Twenty-fourth Legislative Assembly of the State of Montana, that the Honorable Speaker shall appoint a committee of five members of this House, and that such committee be, and is empowered to assemble facts and data from the Board of Equalization, or from any other source, showing the following definite data, to-wit:

1. The revenue from this source since the imposition of the tax for each year.
 2. The number of corporations filing such return each year.
 3. The number of foreign corporations who have filed their articles of incorporation with the Secretary of State.
 4. The number of domestic corporations who have filed articles of incorporation with the Secretary of State.
 5. The estimated number of corporations doing business in the state.
- Such other information as the committee may deem advisable.

Be It Further Resolved, that this committee be required to report back by the 50th legislative day.

HARLEN.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Special Committee on House Bill No. 79, having had under consideration House Bill No. 79, entitled: "An Act to regulate and control the operation of games of chance; to provide for the licensing thereof by the State Board of Equalization and granting to said board certain powers therein; providing for the distribution to the state and counties of the proceeds thereof; establishing a special revenue and old age pension fund; making certain acts illegal and providing penalties; prohibiting minors from participating in any of said games and providing penalties therefor; permitting cities and towns to levy a license tax therefor in addition to the state tax herein provided; providing that by a special election any county may prohibit the games of chance in said county; providing that before such games shall be licensed a special election shall be had in such counties and providing for such special election; repealing all Acts and parts of Acts in conflict therewith," respectfully report as follows: That House Bill No. 79 do not pass; but that Substitute House Bill No. 79, entitled: "An Act to regulate and control the operation of games of chance; to provide for the licensing thereof by the State Board of Equalization and granting to said board certain powers therein; providing for the distribution to the state and counties of the proceeds thereof; establishing a special revenue and old age pension fund; making certain acts illegal and providing penalties; prohibiting minors from participating in any of said games and providing penalties therefor; permitting cities and towns to levy a license tax therefor in addition to the state tax herein provided; providing that by a special election any county may prohibit the games of chance in said county; providing that before such games of chance shall be licensed a special election shall be had in such counties and providing for such special election; repealing all Acts and parts of Acts in conflict therewith," do pass.

GROENE, Chairman.

On motion of Groene, report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 283, entitled: "An Act regulating the hours of labor of drivers and attendants of motor trucks in the State of Montana; defining the term 'attendant' and fixing penalty for the violation of the

provisions of this Act," respectfully report as follows: That House Bill No. 283 do pass.

MULHOLLAND, Chairman.

On motion of Mulholland, report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 227, entitled: "An Act prohibiting the sale of commodities in retail stores and wholesale warehouses on Sundays and holidays and between the hours of 6 o'clock P. M. and 9 o'clock A. M. on week days in cities and towns in this state containing more than twenty-five hundred inhabitants; defining terms used therein; stating exemptions from the provisions of the Act, and providing penalties for violation thereof," respectfully report as follows: That House Bill No. 227 be amended as follows: Insert in line 7 of Section 3, after the word, "September," the following: "the last Thursday of November."

Amend line 5 of Section 5 as follows: change the period after the word, "therein" to a comma, and add the following, "or any retail food store whose gross income does not exceed Four Thousand Dollars, (\$4,000.00)," per year; and as amended do pass.

MULHOLLAND, Chairman.

On motion of Mulholland, report adopted.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following bill was introduced, read first and second time and referred to the Committee on Printing:

Substitute House Bill No. 79, introduced by Groene, Nutting, Spiegel, Leavitt and Doe: A Bill for an Act entitled: "An Act to regulate and control the operation of games of chance; to provide for the licensing thereof by the State Board of Equalization and granting to said Board certain powers therein; providing for the distribution to the state and counties of the proceeds thereof; establishing a special revenue and old age pension fund; making certain Acts illegal and providing penalties; prohibiting minors from participating in any of said games and providing penalties therefor; permitting cities and towns to levy a license tax therefor in addition to the state tax herein provided; providing that by a special election any county may prohibit the games of chance in said county; providing that before such games of chance shall be licensed a special election shall be had in such counties and providing for such special election; repealing all Acts or parts of Acts in conflict therewith."

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following bills were introduced, read first and second time and referred to committees; all appropriation measures having been read at length:

House Bill No. 371, introduced by Stimatz: A Bill for an Act entitled: "An Act to provide for the submission to the qualified electors of the State of Montana of an amendment to the Constitution of the State of Mon-

tana, adding thereto Article 9, Section 7 and 11 of the Constitution of Montana to prohibit the election of any person or persons holding office in any corporation, firm or company, or any attorney at law, or person or persons engaged in disreputable profession or occupation, to be elected to any legislative or administrative body, United States Senator, United States Representative, State Senator, State Representative, Governor, County Officers, City Officers, Town Officers, School Trustees, and prohibiting the appointment of any such persons by any officer so elected." Referred to Committee on Constitutional Amendments.

House Bill No. 372, introduced by Nutting by request: A Bill for an Act entitled: "An Act defining, licensing and regulating dealers engaged in buying, selling, warehousing or storing beans; defining the words "commissioner," "warehouseman" or "person," "beans" and "storage" or "warehousing"; defining transactions in beans; providing for licenses and date of expiration, amount thereof and disposition of fees; and providing for appeal; providing for bonds and amount thereof and fixing conditions and providing for recovery thereunder; providing for inspection; establishing grades; providing for records and reports; prescribing powers and duties of the Commissioner of Agriculture; providing for penalties for violation of Act; and providing for repealing of Chapter 55 of the Session Laws of 1933 and all Acts and parts of Acts in conflict herewith." Referred to Committee on Agriculture.

House Bill No. 373, introduced by Moss: A Bill for an Act entitled: "An Act to amend Section 5 of Chapter 178 of the Laws of the Twenty-third Legislative Assembly, 1935, relative to high school budgets." Referred to Committee on Education.

House Bill No. 374, introduced by Egan: A Bill for an Act entitled: "An Act to amend Sections 44 and 45, Revised Codes of Montana, 1921, relative to the apportionment of the membership of the House of Representatives, said amendment providing for a reapportionment based on the 1930 census on a ratio of one representative for each eight thousand population, or major fraction thereof." Referred to Committee on Apportionment and Representation.

House Bill No. 375, introduced by Connors and Goodwin: A Bill for an Act entitled: "An Act to amend Section One (1) of Chapter Six (6) of the Session Laws of the Twenty-third Extraordinary Session, 1933-34, and any amendment thereof relating to and authorizing any county, city, town or school district having an outstanding valid indebtedness in an amount in excess of fifty per centum (50%) of the total indebtedness which it may lawfully incur under the provisions of the Constitution of the state limiting the amount of indebtedness which may be incurred by counties, cities, towns and school districts, to refund its outstanding bonded indebtedness and providing the method and procedure therefor, as amended by and under the provisions of Senate Bill No. 20 of the Regular Session of the Legislative Session of the Twenty-fourth Legislative Assembly of the State of Montana, 1935, herein particularly providing and extending the privileges of said Act to towns of less than one thousand inhabitants regardless of their relative percentage of total indebtedness to total assessed valuation, without qualification other than the certain three percentum provided generally by Section Six (6) of Article Thirteen (XIII) of the Constitution of the State of Montana." Referred to Committee on Affairs of Cities.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 34, 72, 77, 102, 104, 105, 106, 112, and House Joint Memorials Nos. 4 and 6, do hereby report that said bills and memorials, together with copies thereof, signed by the Speaker of the House and the

President of the Senate, were this day, at the hour of 11:15 o'clock, A. M. delivered to the Governor for his approval.

MONAHAN, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing, beg leave to report the following correctly printed: House Bills Nos. 231, 229, 151, 296, 71, 181, 267, 258; Substitute House Bill No. 158 and House Joint Memorial No. 9.

McCAUSLAND, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Bill No. 359, entitled: "An Act providing for reversion to the Montana Soldier's Home of money left by deceased members," respectfully report as follows: That House Bill No. 359 do pass.

KELLY, Chairman.

On motion of Quigley, report adopted.

Mr. Speaker: We, your Committee on Railroads and Transportation, having had under consideration Senate Bill No. 27, entitled: "An Act requiring all railroad engines and locomotives to be equipped with a rear head light; providing penalties for the violation of this Act, and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That Senate Bill No. 27 be concurred in.

KATHAN, Chairman.

On motion of Kathan, report adopted.

Mr. Speaker: We, your Committee on Compensation, having had under consideration House Bill No. 340, entitled: "An Act to amend Section 2866 of the Revised Codes of Montana, 1921, as amended by Section 5 of Chapter 121 of the Nineteenth Legislative Assembly of 1925, relating to the Workmen's Compensation Law, defining 'major dependent' and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 340 do pass.

SPIEGEL, Chairman.

On motion of Spiegel, report adopted.

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 290, entitled: "An Act to amend Section 387, Revised Codes of Montana, 1921, relative to the term of office of a notary public," respectfully report as follows: That House Bill No. 290 be reported out of Committee without recommendation.

BURRIS, Chairman.

It was moved by Burris, duly seconded, that the report be adopted. On substitute motion, it was moved by Leavitt, duly seconded and carried that House Bill No. 290 do not pass.

It was moved by Emmett, duly seconded and carried, that House Bill No. 363 be taken from the Committee on Public Safety and referred to the Committee on Judiciary.

The following committee was appointed to invite the army fliers under resolution adopted yesterday: Coultas, Watson and Harlen.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole, for consideration of General Orders under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Balgord of Golden Valley in the Chair. Committee arose.
House resumed.
Mr. Seaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 191, 124, 238, 185, 243, 76, 264, 276, and 277, recommend the following:

That House Bill No. 191 be amended as follows: Amend at line 49 of the printed bill by inserting before the word and figures (Section 73) the following: "Section 2. That Section 73 of Chapter 60 of the Laws of 1927 be and the same is hereby amended to read as follows: amend Section 1 by adding after the word "government" in line 25 of the printed bill the following words "or any other agency"; and as amended do pass.

That House Bill No. 124 be amended as follows: Amend Section 2 by striking out in line 4 of the printed bill the words "at least fifteen days before the expiration of such lease"; and as amended do pass.

That House Bill No. 238 be amended as follows: In line 2 of the title strike the word "Acts" and insert in lieu thereof the word "laws" and make the same correction in line 1, Section 1; and as amended do pass.

That House Bill No. 185 do pass.

That House Bill No. 243 be passed for the day.

That House Bill No. 76 do pass.

That House Bill No. 264 do pass.

That House Bill No. 276 be passed for the day.

That House Bill No. 277 be amended as follows: That Section 4 be stricken in its entirety; and as amended do pass.

BALGORD, Chairman.

It was moved by Balgord that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by Nelson, duly seconded and carried, that House Bill No. 185 be segregated from the report of the Committee of the Whole.

Whereupon Committee of the Whole report was adopted as amended.

REPORTS OF SELECT COMMITTEES

REPORT OF THE FOUR SPECIAL INVESTIGATING COMMITTEES
UNDER THE GROENE RESOLUTION

I

Report of Special Committee on Investigation of State Government Finances:

Mr. Speaker: Your, Committee appointed to investigate state finances, begs leave to submit the following report:

This committee was appointed approximately two weeks ago and in the short time allotted to us and with the means at our disposal, we have tried to cover the ground but it is an impossibility to complete the investigation with any degree of thoroughness at this time.

We have held several meetings and have taken considerable testimony. We find an apparent fear on the part of department heads to make recommendations conducive to economies in state government. We find that instead of an attitude of frankness and cooperation toward the legislature, which attitude ought to exist in the best interest of the state, many de-

partments are fearful that frankness and cooperation might result in curtailment of their appropriations. We further find that while many departments are critical of each other they all seem united as against the efforts of any committee of the legislature with reference to the purpose of our investigation.

We are satisfied that there are many changes that can be made to effect a more efficient state government with substantial economies, but it is a physical impossibility for your committee to make any definite recommendations or suggestions at this time. We are convinced that the only way to ascertain these matters is through the medium of some independent agency and with respect to this we join with the other special investigating committees in the joint recommendation hereinafter set forth:

II

Mr. Speaker: We, your Select Committee on University Finances, beg leave to report as follows:

A detailed study of the finances of the University of Montana discloses very careful management and rigid economy. Since the institutions of higher education were first integrated under the legislative act of 1913, the University of Montana has never incurred a deficiency by expending in excess of its appropriation. Contrary to a very common impression, the cost of operation of the University of Montana has not been increasing in recent years.

Beginning with 1921, the attendance at the teaching units of the University of Montana has pretty steadily increased until at the present time it is nearly 90% greater than in 1921. On the other hand the financial support of the University of Montana made gradual, though much slower, growth than the student attendance until 1931. From that time the financial support has dropped very radically until, for the present year, it is actually almost 2% lower than it was in 1921. If we separate the different sources of financial support the contrast is even more striking. The increase in state support scarcely began until 1927 and in 1931 began to drop, so that for the present year the state support is 20% less than it was in 1921. The only reason it has been possible for these institutions to continue in operation is that, with the increase in attendance, has come a somewhat parallel increase in income from student fees, but not nearly enough increase to offset the decrease in support from state taxation.

In the work of the Agricultural Experiment Station and the Agricultural Extension Service the situation is substantially similar. The state support for the Agricultural Experiment Station is 50% less now than it was 14 years ago, and the state support of the Extension Service is more than 45% less than it was 14 years ago. There has been some increase in Federal support for these activities, but in spite of this the total available income for Experiment Station work is nearly 4% less and for the Extension Service nearly 10% less than it was 14 years ago.

In order to meet this reduction in income obviously the budgets of all the units of the University of Montana have had to be drastically revised. While the legislative assembly in 1931, made appropriations for the ensuing biennium slightly larger than in the biennium then closing, this assembly levied a tax of only 2½ mills instead of the 3 mills authorized by vote of the people at the preceding election. It was evident, therefore, that the levy would not yield an amount equal to the appropriation for the biennium. Consequently the State Board of Education directed the heads of the several units to reduce the budgets for the year 1932-1933 by an amount equal to approximately 10% of the appropriation for the year. Since the budgets already contained next to nothing for capital expenditures and repairs, the only saving possible was on the salaries of employees. As the members of

the staff were for the most part under contract to the first of September, the entire amount had to be saved in ten months of the year. Salaries were consequently reduced from 20% to 25%. As a result the University of Montana reverted at the end of the biennium \$101,069.27 of the appropriation made by the Legislative Assembly for the year 1932-1933, as shown on page 187 of the 1935 Legislative Budget book.

These salary reductions are still in effect at the present time. While most of the persons affected continue in their places, the organization has lost a number of exceptionally capable men in the younger group whose period of maximum value is still in the future.

At the time when the people of Montana in 1920 initiated a tax levy for the support of the University of Montana the taxable valuation of property in the state had been steadily increasing for a great many years and it was the expectation that some increase might continue to be made for years to come. Unfortunately, however, in the very next year the valuation began to decline, and with some fluctuations it has pretty steadily diminished until, for the past two years, it has now reached a lower level than in any previous time during the past twenty-four years. The valuation for 1934 is 43% lower than in 1918. As a result of this reduced valuation, together with the inadequate tax levy of 1931-1932, the registration of University Fund warrants became so great that in November 1933, more than \$781,000 of these registered warrants were outstanding. Through economy measures mentioned above, with the tax levy of 3 mills for the present biennium, the amount of registered warrants a year later was reduced by more than \$170,000. By next June the amount of outstanding warrants is expected to be less than \$500,000, and with a continuance of the three mills levy, the state can probably reach a cash basis so far as the university millage fund is concerned by the end of the next biennium.

It may be worth while to make a very brief statement regarding the method of financial procedure in the University of Montana, to make clear the very rigid care always exercised to restrict expenditures. When the biennial appropriation has been made by the Legislative Assembly a meeting of the Executive Council is held in the office of the Executive Secretary. This council includes the presidents of the six units of the University of Montana. General policies for the ensuing biennium are considered, and if the legislature has appropriated less than the estimated budgets presented to it, the presidents determine what readjustments will be necessary in their respective budgets. At the meeting of the State Board of Education in April the Executive Secretary presents to the meeting the complete salary lists for the ensuing year as proposed by the respective presidents.

With the final approval of salary lists by the board for the greater part of the expenditure for the ensuing year is already settled. As is shown by the figures on page 188 of the Legislative Budget book, more than 75% of all the maintenance expenditures of the University of Montana goes to the payment of salaries and wages. Of the remaining 24% a considerable amount is required for fuel, light, water and certain supplies which are absolutely essential if the institutions are not to be closed.

From the foregoing it is evident that the latitude for any possible unwise expenditure is very narrow indeed. Every purchase of even the smallest item is handled through the office of the State Purchasing Agent. A requisition for each expenditure is made out in the business office of the institution concerned, based on the budget allotment for that purpose. If it is an item of supply for some department of instruction a request for the expenditure is made to the president of the institution who, if proper provision has previously been made in the budget for this purchase, signs the requisition, which then goes to the State Purchasing Agent. If the contemplated purchase involves the expenditure of more than \$250 for one item or involves the purchase of capital equipment, the requisition must be submitted to the State Board of Examiners for approval. With this

approval the Purchasing Agent then issues a purchase order and, when the order has been filled, the claim is presented to the business office of the institution, where it is checked with the purchase order, while the department concerned checks as to delivery and quality of goods. If found satisfactory the claim is then forwarded to the Purchasing Agent, who again compares it with the purchase order issued by his office and passes it on to the State Board of Examiners from whom, with their approval, it goes to the office of the State Auditor, where a warrant for the proper amount is issued. All claims are then classified and recorded by the State Accountant, and a complete report of expenditures for all purposes is printed by him in the Legislative Budget book which is distributed to all members of the Assembly.

Possibly one question that may be asked would be the comparative expense of the office of the Executive Secretary under the present arrangement. The Legislative Budget book, page 45, shows the cost of that office during the present biennium to be \$6,000 per year. This is to be compared with an average of \$17,000 per year from 1923 to 1933.

HEAVLIN,
HAMILTON,
BUTTELMAN,
TOOMEY,
SHERMAN.

III

Mr. Speaker: We, your Committee No. 3, appointed to investigate city, county and school finances reports as follows:

Your committee has held meetings and sent out many letters requesting suggestions and recommendations. To these we have received and still are receiving many replies. We have assembled material of value and interest. Your committee could make a partial report, but it believes that such a report would not be advisable.

HAIGHT, Chairman.

IV

Mr. Speaker: We, your Committee No. 4, appointed under the Groene Resolution, among other things, to investigate and ascertain certain facts in connection with new revenues to replace real property taxes, beg leave to report.

The matters referred to your committee are broad in scope to the extent that it is practically impossible for a select committee of this legislature, in the brief space of time available, to make any extensive investigation upon which any intelligent report can be based. However, immediately after the appointment of your committee, it organized and has devoted all of the time that could be spared from other duties devolved upon its various members; and in said investigation we have called before the committee for examination various officials of the state, whom we believe to be best qualified to lend valuable information.

We find that since 1921 the counties of the state have acquired by tax deed approximately 3,000,000 acres of land; and we also find that there is, as of August, 1934, 3,350,000 acres of land subject to tax deed. This includes only acreage property and does not include city or town property, either improved or unimproved. The amount of delinquent taxes now exceed \$20,000,000.00.

The delinquencies are rapidly increasing so that unless relief from the burden of government is secured from other sources, it will be found that, within a short space of time, delinquent taxes will consume millions of acres more of our land, in addition to improved and unimproved city and town property.

Our information discloses no method by virtue of which this property can be restored to the tax rolls, except by sale. Since 1921 somewhat less than a million acres have been sold by the counties. Every acre of land and every lot or parcel of improved or unimproved town or city property which becomes encumbered with delinquent taxes, is virtually removed from the tax rolls, with a result that additional burdens, to make up for the loss of the increasing delinquencies, must be imposed upon the property which is not paying the tax.

We have not been able to ascertain the amount of loss in taxes which would accrue through exemptions of homes and personal effects from taxation; the aggregate amount would be large, and it is a certainty that no exemptions of homesteads and no reduction in property taxes can be had unless a replacement tax is enacted.

In the course of our examination we have discovered that some of the departments, by reason of lack of sufficient appropriation, have been unable to function to the greatest degree of efficiency. It appears that the Corporation License Tax Department has not been granted sufficient moneys with which to provide ample field force in order to audit the income subject to taxation of all of the domestic corporations but few of the foreign corporations, who, through subsidiaries and otherwise, are doing business in Montana. We believe, with proper field forces, that the income of this department could be materially augmented. We find that the same situation is true as to the Net Income Department and in the office of the Commissioner of Insurance. With a little additional appropriation to provide a slight increase of available help we are confident a material increase in returns could be made in these departments. We find, in many instances, the law should be strengthened; and we would particularly suggest that proper legislation be enacted in order to tax the income of fraternal insurance companies, who are now doing business in the state in competition with insurance companies now taxed. We find that by reason of inadequate appropriations to provide sufficient field forces, the State Land Department is now losing substantial amounts of revenue.

Our investigation discloses that there are several departments, particularly in the Agricultural Department and the State Lands Department, which could be made self-sustaining by slight amendments to the existing law, and the imposition of slight license taxes. We also find that to a certain extent there is overlapping and duplication of effort; but in the short space of time available to the committee, it is impossible to suggest material corrections. We must conclude, however, that the present system in force, through no fault of the departments, is cumbersome, expensive, and does not retrieve all of the revenue actually due to the state.

From facts available, it would appear that the revenue from any replacement tax, to be of benefit to the various counties and their inhabitants, and which would relieve them to some extent from the burdens of taxes should not be less than \$5,000,000. It would also appear that additional revenues, to the extent of seven to eight million dollars would be sufficient to maintain and operate secondary schools of the state, which costs amount to approximately forty per cent of the total taxes levied and collected.

From the estimates given to your committee, it would seem that the total gross income in the state from all sources would not be less than \$350,000,000; and should a reasonable tax be placed upon this income, a substantial amount would be realized, which would serve as a true replacement tax.

It is our belief that an extensive, well planned study and survey should be made of the various departments of state, county and municipal governments, with a view of eliminating duplicating bureaus and consoli-

dating governmental units. This study and survey, to accomplish results, must have broad powers and be constituting in ample time to conduct and complete its investigation and report with recommendations to the next Legislature. In the meantime if revenues of a replacement nature can be found they should be secured.

Respectfully submitted,
CUSICK, Chairman.

In conclusion, Mr. Speaker, your four special investigating committees herewith tender a proposed bill which, if passed, we believe will be of great benefit to the state and all of the subdivisions thereof. This bill is entitled:

"An Act providing for a review by the Governor and State Advisory Council of the organization, functioning, and finances of the state and local governments, for the preparation of a program of economy and financing, and for the creation of a State Advisory Council; and designating the powers and duties of the Governor and the Advisory Council."

And we recommend its adoption and enactment of law for the purposes of carrying out the intent of the resolution under which these committees were appointed and as a practical means of increasing the efficiency of our state and local governments with a large measure of economy to the taxpayers of the state.

Respectfully submitted,
CHAPMAN, Chairman, Committee No. I,
HEAVLIN, Chairman, Committee No. II,
HAIGHT, Chairman, Committee No. III,
CUSICK, Chairman, Committee No. IV.

On motion of Groene of Fergus, report adopted.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF THE SAME

The following bills were introduced, read first and second time and referred to committees; all appropriation measures having been read at length:

House Bill No. 376, introduced by Kathan, Moss, Kelly, Ritch, Johnson, Boone, Burris, Ormsbee, Joffray, Monahan, Ewing, Gray, York, Petersen of Sheridan, Spiegel, Lasby, Chamberlain, Egan, Brennan, Neary, Ahlgreen, Scofield, Miller of Roosevelt, Haugan, Nelson, Southmayd, Conner, Hamilton, Bertsche, Emmett, Mulholland, O'Byrne, O'Brien, Mitchell, Emmons, Holding, Heavlin and Cusick: A Bill for an Act entitled: "An Act regulating the operation of railroads within the State of Montana, limiting the length of freight and passenger trains and providing penalties for the violation of this Act." Referred to Committee on Railroads and Transportation.

House Bill No. 377, introduced by Goodwin and Lott: A Bill for an Act entitled: "An Act appropriating money for the payment of the reward claim of Mrs. J. McNally, as compensation for aiding the State of Montana in the apprehension of the Sheridan, Montana bank robber by revealing information which led to the conviction." Referred to Committee on Appropriations.

House Bill No. 378, introduced by Committee on Dairying: A Bill for an Act entitled: "An Act relating to the sale of oleomargarine; defining same; providing for license and stamp tax; prescribing penalties for the violation thereof; and repealing Section 40, of Chapter 87, of the Session Laws of the Twenty-second Legislative Assembly." Referred to Committee on Dairying.

House Bill No. 379, introduced by Committee on Public Utilities and State Commissions: A Bill for an Act entitled: "An Act to empower and authorize and to make it the duty of the Public Service Commission in the fixing of just and reasonable rates charged or to be charged by public utilities to investigate, inquire into and consider the reasonableness and justness of all contracts, agreements and charges entered into or paid by such public utilities with or to other corporations, associations, firms or persons." Referred to Committee on Public Utilities and State Commissions.

House Bill No. 380, introduced by Committee on Public Utilities and State Commissions: A Bill for an Act entitled: "An Act giving the Public Service Commission power and authority to require public utilities to carry on their operations with safety to the public, to their customers and employees." Referred to Committee on Public Utilities and State Commissions.

House Bill No. 381, introduced by Committee on Public Utilities and State Commissions: A Bill for an Act entitled: "An Act placing the burden of proof in all trials and proceedings before the Board of Railroad Commissioners or the Public Service Commission upon the railroad or utility." Referred to Committee on Public Utilities and State Commissions.

House Bill No. 382, introduced by Committee on Public Utilities and State Commissions: A Bill for an Act entitled: "An Act to amend Section 3783 and Section 3802, Revised Codes of 1921, relating to appointments to be made by the Board of Railroad Commissioners." Referred to Committee on Public Utilities and State Commissions.

House Bill No. 383, introduced by Committee on Public Utilities and State Commissions: A Bill for an Act entitled: "An Act providing for the payment of fees by railroads and public utilities based upon their gross operating revenue and making the Act retroactive so as to cover a fee for the gross revenue produced in 1934." Referred to Committee on Public Utilities and State Commissions.

House Bill No. 384, introduced by Committee on Public Utilities and State Commissions: A Bill for an Act entitled: "An Act permitting any motor carrier authorized by the Board of Railroad Commissioners of the State of Montana to transport persons and/or property for hire over any public highway in the State of Montana, aggrieved by the cancellation and/or refusal of issuance of motor vehicle liability insurance policy or bond by any insurance or surety company authorized to do business within the State of Montana, to file complaint with the Commissioner of Insurance of the State of Montana, authorizing the Commissioner of Insurance after notice to the parties and public hearing held to make appropriate finding or findings and enter an order thereon; providing for an appeal to the District Court from the decision of the Commissioner of Insurance and for an appeal to the Supreme Court of the State of Montana from any decree of the District Court or a judge thereof and authorizing the Commissioner of Insurance to revoke or suspend the license of any company failing to comply with his said order or decree of court entered upon appeal from his said order." Referred to Committee on Public Utilities and State Commissions.

House Bill No. 385, introduced by Committee on Public Utilities and State Commissions: A Bill for an Act entitled: "An Act for the further regulation of public utilities, the recapture and disposition of operating income thereof in excess of a fair return, the supervision and regulation by the Public Utilities Commission of the annual budget of a public utility before certain expenditures are made, providing for the regulation and control of issuance of stocks, bonds, notes or other securities by public utilities, the assumption of liabilities, the purchase or sale of properties, merger or consolidation with another utility, and specifying what corporations may

conduct a public utility business in Montana, defining affiliated interests, and providing for the regulation and supervision of contracts and transactions therewith, making provision for a depreciation reserve, providing penalties for the violation thereof, and repealing all Acts or parts of Acts in conflict herewith." Referred to Committee on Public Utilities and State Commissions.

House Bill No. 386, introduced by Committee on Public Utilities and State Commissions: A Bill for an Act entitled: "An Act to amend Sections 1, 2, 3, 16, 18 and 19 of Chapter 184, Laws of 1931, relating to supervision, regulation and control of the use of the public highways of the State of Montana by motor vehicles engaged in the transportation by motor vehicles of persons and property upon the public highways of Montana, and adding to said Chapter 184 new and additional Sections to be designated and numbered Sections 10.1, 16.1 and 16.2, providing for the licensing of persons and corporations operating motor vehicles for distributing, delivering and collecting wares, merchandise and commodities sold and to be sold by them; providing an additional license tax upon all motor carriers subject to the provisions of this Act, and appropriating the moneys collected to be used in the enforcement of the Act; and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Public Utilities and State Commissions.

House Bill No. 387, introduced by Committee on Public Utilities and State Commissions: A Bill for an Act entitled: "An Act requiring public utilities to furnish information and reports to the Public Service Commission as directed by the commission." Referred to Committee on Public Utilities and State Commissions.

House Bill No. 388, introduced by Committee on Public Utilities and State Commissions: A Bill for an Act entitled: "An Act to amend Section 3798, Revised Codes of 1921, relating to the powers and duties of the Board of Railroad Commissioners in the case of accidents occurring in the operation of any railroad in this state and empowering this board to adopt safety devices at railroad crossings." Referred to Committee on Public Utilities and State Commissions.

House Bill No. 389, introduced by Committee on Public Utilities and State Commissions: A Bill for an Act entitled: "An Act authorizing the Public Service Commission in emergency cases to enter orders fixing temporary rates to be charged by public utilities and to prescribe the procedure therefor." Referred to Committee on Public Utilities and State Commissions.

House Bill No. 390, introduced by Committee on Public Utilities and State Commissions: A Bill for an Act entitled: "An Act prescribing the fees and charges to be made by the Public Service Commission." Referred to Committee on Public Utilities and State Commissions.

House Bill No. 391, introduced by Committee on Public Utilities and State Commissions: A Bill for an Act entitled: "An Act to amend Section 3881 of Chapter 260 of the Revised Codes of the State of Montana, 1921, defining a public utility and providing for, and including, pipe lines for the transportation of natural gas within the jurisdiction and control of the Public Service Commission." Referred to Committee on Public Utilities and State Commissions.

House Bill No. 392, introduced by Chapman, Groene, Burris, Leavitt, Heavlin, Fowler, Cusick and Holding: A Bill for an Act entitled: "An Act providing for a review by the Governor and State Advisory Council of the organization, functioning, and finances of the state and local government, for the preparation of a program of economy and financing, and for the creation of a State Advisory Council; and designating the powers and duties of the Governor and the Advisory Council." Referred to Committee on Appropriations.

House Bill No. 393, introduced by Spiegel: A Bill for an Act entitled: "An Act to regulate the use of cinematographs, or similar apparatus, as well as fixing the number of persons employed in operating more than one such cinematograph, or other similar apparatus, and requiring an inspection of such apparatus, as well as the booths or inclosures enclosing the same, by the State Fire Marshal and providing that the State Fire Marshall may issue such rules and regulations as may be necessary regarding the same; setting forth the qualifications of all persons who shall operate a cinematograph, or other similar apparatus, and providing for persons aiding such operators as assistants and providing what type of apparatus and film used therein shall be exempt from the provisions of the Act and providing for penalties for violation of the Act." Referred to Committee on Public Safety.

House Bill No. 394, introduced by Leavitt: A Bill for an Act entitled: "An Act to amend Section 3002 of the Revised Codes of Montana, 1921, relating to workmen's compensation; providing method of collection of delinquent premiums due the board, authorizing the board to cancel employer's right to operate under the compensation Act; providing the notice for and the method of such cancellation; the duty of the sheriff to serve said notices and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Workmen's Compensation.

House Bill No. 395, introduced by Leavitt: A Bill for an Act entitled: "An Act relative to jury trials in civil cases when the amount involved is less than Five Hundred Dollars." Referred to Committee on Judiciary.

House Bill No. 396, introduced by Bertsche: A Bill for an Act entitled: "An Act repealing Section 3, Chapter 18, of the Session Laws of the State of Montana, 1933, relating to the rules and regulations governing school bus transportation." Referred to Committee on Education.

House Bill No. 397, introduced by Gray, Toomey, Metlen and Buttelman: A Bill for an Act entitled: "An Act to create the Montana Grazing Commission, providing the membership thereof and for the appointment of a State Grazing Administrator; defining the powers and prescribing the duties of said commission, granting said commission authority to levy and assess grazing associations organized under the Laws of the State of Montana, to defray the expenses of the said commission within the limits of this Act; providing for the administration of this Act, the powers and duties of said State Grazing Administrator, prescribing an annual report; providing for cooperation with the United States and the director of grazing under the Taylor Grazing Act." Referred to Committee on Livestock and Public Ranges.

House Bill No. 398, introduced by Smith, by request: A Bill for an Act entitled: "An Act relating to the advertisement and sale of roasted coffee and to the date of roasting, and providing a penalty for a violation thereof." Referred to Committee on Development and Publicity.

House Bill No. 399, introduced by Committee on Conservation of Resources: A Bill for an Act entitled: "An Act to provide for the cooperation and coordination by the state and the governmental units thereof, and to encourage state and national industrial recovery by cooperation with the National Government in aid of effectuating the objects and purposes and benefits of such national legislation whereby moneys, funds and resources are made available to promote the rehabilitation of agriculture, trade and industry; furnish relief for unemployment by authorizing the State Water Conservation Board to make loans and accept grants from the President or any and all departments or agencies of the United States for flood control projects, irrigation systems and projects, conservation, maintenance and operation of projects in the reclamation of lands within the state, electrification and rehabilitation, or any other public work of a beneficial character; to accept from private owners deeds or other instruments or trust relating to land, improve and sell the same; to execute and perform agreements and contracts relating to the construction and financing of such pro-

jects by any department or agency of the United States, to issue revenue bonds payable out of the revenues derived from any project or system of irrigation, electrical service or other public works; and conferring additional authority, power and duty upon the Water Conservation Board of the State of Montana." Referred to Committee on Conservation of National Resources.

House Bill No. 400, introduced by Connors and Goodwin: A Bill for an Act entitled: "An Act relating to the disposal of outlaw fish, taken from the rivers, streams and lakes of the State of Montana, by net, under the supervision of the members of the Fish and Game Commission or its employees." Referred to Committee on Fish and Game.

House Bill No. 401, introduced by Metlen: A Bill for an Act entitled: "An Act to provide a limitation on the yearly increase of tax levies in the State of Montana." Referred to Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Economy, having had under consideration House Bill No. 352, entitled: "An Act relating to Deputy County Attorneys in counties of the sixth and seventh class, providing for employing special counsel in certain cases, and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 352 do pass.

RYAN, Chairman.

On motion of Ryan, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bills Nos. 235, 192, 236, 206, 237 and 209.

EWING, Chairman.

Without objection, report adopted.

It was moved by Byrne, duly seconded and carried, that the House adjourn until 11:00 o'clock A. M. Friday, February 15th, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FORTIETH DAY

House of Representatives,
Helena, Montana, February 15, 1935.

House convened, pursuant to adjournment, at 10:30 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by Chaplain.

A quorum was present.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the thirty-ninth legislative day, find the same to be correct.

QUIGLEY, Chairman.

Without objection, report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Water Conservation and Flood Control, having had under consideration House Bill No. 152, entitled: "An Act providing for the creation of a State Planning Board for the State

of Montana and prescribing the powers and duties of said board; providing for the method for the appointment of the members thereof and making an appropriation therefor; and repealing Chapter 39 of the Extraordinary Session Laws of the Twenty-third Legislative Assembly," respectfully report as follows: That House Bill No. 152 do pass.

MANNING, Chairman.

On motion of Manning, report adopted, and House Bill No. 152 sent to Appropriations Committee for further consideration.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 175, by Judiciary Committee, was this day read third time and concurred in, title and history agreed to, and bill is herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 178 was this day read third time and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in the Senate amendments.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence:

Substitute for S. B. No. 18, by Committee on Taxation.
S. B. No. 83, by Putnam.
S. J. M. No. 1, by Committee on Mines and Mining.
S. J. R. No. 5, by Putnam.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Without objection, further messages from the Senate were considered read at length and so shown on the Journal.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motions were this day made, duly seconded and carried:

Senate reconsidered its action of yesterday in adopting the Committee of the Whole report wherein S. B. No. 64 was reported adversely. As an amendment to the report of the Committee of the Whole, it was duly moved that S. B. No. 64 be segregated from the report; on motion, S. B. No. 64 was placed on General File. Report of the Committee of the Whole was adopted as amended.

On motion, S. B. No. 101 was taken from General File and re-referred to Water Conservation and Flood Control.

As an amendment to the Committee of the Whole report of this morning, H. B. No. 136 was segregated from the report of the Committee of the

Whole, and the report was adopted as amended. On motion, H. B. No. 136 was re-referred to Judiciary Committee.

On motion, S. B. No. 92 was taken from General File and referred to Judiciary Committee.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Governor this day advised that he had approved S. B. No. 37.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced in the Senate, read first and second time, and referred to committees:

- H. B. No. 135, by Ryan and Mitchell—To Compensation.
- H. B. No. 140, by Committee on Fish and Game—To Fish and Game.
- H. B. No. 162, by Judiciary Committee—To Judiciary.
- H. B. No. 171, by Lemmer—To Fish and Game.
- H. B. No. 175, by Judiciary Committee—To Judiciary.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Cotter, Garrison, Hollenback and Sparling: A Bill for an Act entitled: "An Act granting and giving to the Montana Public Service Commission the power and right under certain conditions to purchase gasoline, automotive fuels, oils and lubricants and enter into contracts with licensed retail gasoline dealers to sell the same to the public; further providing for the transportation of gasoline by the said commission and the right under certain conditions of the state to sell directly gasoline products; and providing for a record of all such transactions."

By Baker: A Bill for an Act entitled: "An Act extending to June 1, 1936, the period of the public works emergency relief program authorized by Chapter 24 of the Acts of the Extraordinary Session of the Twenty-third Legislative Assembly of 1933-34, and repealing all Acts in conflict herewith."

By Putnam: A Bill for an Act entitled: "An Act to amend Section 4736 of the Revised Codes of Montana of 1921, relating to the keeping open of county offices."

By Lamp: A Bill for an Act entitled: "An Act to amend Section 2 of Chapter 33 of the Session Acts of the Twentieth Legislative Assembly of Montana of 1927, relating to the exclusion of territory from the corporate limits of cities and towns, and providing for the vacation of streets, alleys, avenues and public places upon the exclusion of such territory."

By Meyer: A Bill for an Act entitled: "An Act providing for the foreclosure of special assessment liens by owner of unpaid bond and prescribing procedure thereon."

By Meyer: A Bill for an Act entitled: "An Act regulating the rank and priority of liens for general taxes and assessments for local improvements in cities and towns."

By Campbell: A Bill for an Act entitled: "An Act to authorize the erection of a journalism building for the Montana State University at Missoula, to authorize the procuring of funds for the construction of said building from the United States, and to authorize the transfer of the United States of title to the ground upon which the said building is to be erected, and to authorize the State Board of Education to enter into a contract with the United States or with any properly constituted person or body representing the United States, for the financing and erection of said building, and for compensation to the United States for the use of said building through the payment of rental, or otherwise, as may be required by the laws of the United States, or regulations adopted thereunder and generally to authorize the State Board of Education to enter into such contract or contracts with the United States as may be required by the United States for the procuring of the necessary money to pay for the construction of said building, and to enter into proper and appropriate contracts with contractors, builders, and others, for the erection of such building, and to provide that such contract or contracts shall not be, and never shall become a charge against the State of Montana, or create a liability, debt or obligation of the State of Montana."

By Angvick and Kalberg: A Bill for an Act entitled: "An Act to create a Milk Control Board, to exercise such supervision and control pursuant to the provisions of this Act; to provide for the manner of selecting the members of said Milk Control Board and fixing their compensation; to prescribe and define the powers and duties thereof; to provide penalties for violation of this Act; to provide for licensing and collection of fees and the appropriation of the proceeds thereof for the purpose of this Act, and declaring an emergency."

By Sparling: A Bill for an Act entitled: "An Act to amend Section 4584 of the Revised Codes of Montana of 1921, as amended by Chapter 133 of the Session Acts of the Twenty-first Legislative Assembly of Montana of 1929, relating to the method of assessing the cost of improvements in rural improvement districts."

By Holt and Church: A Bill for an Act entitled: "An Act to amend Sections 1493 to 1497 inclusive of the Revised Codes of Montana of 1921, relating to the furnishing of free higher education to certain inmates of the State Orphans' Home, the State Industrial School and the State Vocational School for Girls."

By Garrison: A Bill for an Act entitled: "An Act to amend Chapter 20 of the Session Laws of 1931 to protect laborers, farmers, and merchants on labor and general supplies furnished to contractors, on contracts under the supervision of the Montana Highway Commission."

By Meyer: A Bill for an Act entitled: "An Act to make valid and enforceable written provisions or agreements for the arbitration of disputes, and repealing Sections 9972, 9973, 9974, 9975, 9976, 9977, 9978, 9979, 9980 and 9981 of the Revised Codes of Montana of 1921."

By Holt: A Bill for an Act entitled: "An Act designating the Montana Rural Rehabilitation Corporation as a public agency of the state for the purpose of rehabilitation and relief, and requiring all public officers to cooperate with said corporation in the relief of destitution and unemployment."

By Delaney: A Bill for an Act entitled: "An Act for the prevention of the sale or giving away, except by licensed practitioners of medicine, osteopathy or other licensed practitioners of the healing arts and of licensed pharmacists, of contraceptive devices, or other articles, devices or appliances designed for that purpose or for the purpose of preventing venereal diseases, or sexinciting devices, and authorizing officers of the law to make arrests for violation of the Act, and to seize stocks of such articles un-

lawfully held or offered for sale, and prescribing a penalty for the violation of this Act."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That consideration of H. B. No. 130 be passed for the day.

That consideration of S. B. No. 84 be passed for the day.

That S. B. No. 87 do pass.

That S. B. No. 91 do pass.

That consideration of S. B. No. 92 be passed for the day.

That S. B. No. 109 be amended in Section 2, line 3, printed bill, by inserting a comma after the word "town" and adding after said comma the following words: "rural improvement district."

And as so amended, do pass.

That S. B. No. 64 do pass.

That H. B. No. 91 be passed temporarily.

That H. B. Nos. 118, 136, 139 and 182 be concurred in.

That consideration of H. B. No. 202 be passed for the day.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That H. B. No. 91 be concurred in.

That H. B. No. 175 be concurred in.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Printing: That S. B. Nos. 86 and 113 have been returned from the printer correctly printed.

Taxation: That S. B. No. 99 do not pass.

That S. B. No. 98 do not pass.

Reports adopted.

Banks and Banking: That S. B. No. 108 do pass.

That S. B. No. 117 do pass.

That House Bill No. 64 be amended by inserting after the word "therefore" in the first line, on page 2, the following words: "cashiers check or checks issued by the Federal Reserve Bank." And as amended, be concurred in.

Reports adopted.

Education: That H. B. No. 65 be concurred in, report adopted.

Agriculture: That S. B. No. 112 be amended in Section 1, line 27, by adding after the word "electors" the following: "representing at least a majority of the precincts," and as amended, do pass, report adopted.

Corporations other than Municipal: That H. B. No. 175 be concurred in, report adopted. On motion, placed on General File for consideration today.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Meyer: A Bill for an Act entitled: "An Act to amend Chapter 59 of the Montana Session Laws of 1933, relating to the fees and salaries of County Coroners."

By Meyer, Nass, Keeley, Pauline: A Bill for an Act entitled: "An Act repealing Chapter 40 of the Twenty-third Extraordinary Session, 1933, amending Sections 2 and 28 of Chapter 181 of the Laws of Montana, 1933, regulating rate of personal income tax to be paid on distribution of said tax."

By Holton, Carroll, Wass and Sparling: A Bill for an Act entitled: "An Act to amend Section 2 of Chapter 51 of the Session Acts of the Twenty-first Legislative Assembly of Montana of 1929, relating to expenditure by counties for the acquisition and maintenance of parks for public camping and recreational purposes."

By Murphy: A Bill for an Act entitled: "An Act to amend Section 12288 of the Revised Codes of Montana, 1921, as amended by Chapter 185 of the Session Laws of the Twenty-third Legislative Assembly of the State of Montana."

By Coburn: A Bill for an Act entitled: "An Act to change the boundary line between the counties of Glacier and Pondera; taking from said County of Pondera certain territory and adding the same to the said County of Glacier; providing for the appointment of commissioners to adjust indebtedness; providing for the transfer of school funds and delinquent taxes; providing for the transcribing and transfer of records and the transfer of actions pending in court; and providing that township, school, and other officers within the territory so transferred shall hold their offices for the balance of their terms."

By Pauline and Holt: A Bill for an Act entitled: "An Act amending Section 4532 of the Revised Codes of Montana of 1921, as last amended by Chapter 19 of the Acts of the Extraordinary Session of the Twenty-third Legislative Assembly of 1933-34, relating to the establishment of residence for purposes of receiving county relief, and repealing all Acts in conflict herewith."

By Pauline and Holt: A Bill for an Act entitled: "An Act regulating the acquisition of residence for purposes of registration or voting, and repealing all Acts in conflict herewith."

By Thien and Holt: A Bill for an Act entitled: "An Act authorizing the State Land Commissioners, subject to the approval of the State Land department, to enter into cooperative agreements with the Secretary of the Interior, and to exchange lands with the United States of America as provided for in the Act of Congress approved June 28, 1934, entitled as an Act to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes."

By Anderson, Armstrong, Hammond, Sibbert, Carroll, Kelsey, Ekegren, Kalberg, Angvick, Lamp, Plumer, Putnam, Carey, Nass, Benjamin, Blankenbaker, Colbo, Garrison, Baker and Hollenback: A Bill for an Act en-

titled: "An Act to amend Section 378 of the Revised Codes of Montana relating to the reporting of decisions by the Justices of the Supreme Court and the salary for such services."

By Groff: A Bill for an Act entitled: "An Act to permit irrigation districts that have borrowed money from the United States, to change the boundaries of said district, with the consent of the land owners and the Secretary of Interior of the United States, by eliminating certain lands and providing the procedure for such elimination."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time and referred to committees:

S. B. No. 127, by Committee on Water Conservation and Flood Control: A Bill for an Act entitled: "An Act to provide for the cooperation and co-ordination by the state and the governmental units thereof, and to encourage state and national industrial recovery by co-operation with the National Government in aid of effectuating the objects and purposes and benefits of such national legislation whereby moneys, funds and resources are made available to promote the rehabilitation of agriculture, trade and industry; furnish relief for unemployment by authorizing the State Water Conservation Board to make loans and accept grants from the President or any and all departments or agencies of the United States for flood control projects, irrigation systems and projects, conservation, maintenance and operation of projects in the reclamation of lands within the state, electrification and rehabilitation, or any other public work of a beneficial character; to accept from private owners deeds or other instruments of trust relating to land, improve and sell the same; to execute and perform agreements and contracts relating to the construction and financing of such projects by any department or agency of the United States, to issue revenue bonds payable out of the revenues derived from any project or system of irrigation, electrical service or other public works; and conferring additional authority, power and duty upon the Water Conservation Board of the State of Montana." To Water Conservation and Flood Control.

S. B. No. 128, by Committee on Education: A Bill for an Act entitled: "An Act designating the manner of selection, adoption, purchase, and exchange of textbooks for use in the public schools of Montana; prescribing rules and regulations covering the same; prescribing the powers and duties of school officers and boards in connection therewith; prescribing certain conditions to be complied with by persons, companies, and corporations offering such textbooks for adoption, sale, or exchange in the State of Montana; providing penalties for violations of this Act; and repealing Sections 1187 to 1196 inclusive, and Section 1200 of the Revised Codes of Montana of 1921; Chapter 25 of the Session Acts of the Nineteenth Legislative Assembly of Montana of 1925 and other Acts and parts of Acts in conflict herewith." To Education.

S. J. M. No. 3, by Committee on Mines and Mining: A Resolution memorializing the Congress of the United States, for the early passage of legislation providing for the construction of highways in or adjacent to national forests to mining districts and providing for suitable appropriations to the Forestry Department for carrying out the recommendation of the State and County Planning Boards in the construction of said highways." To Roads and Highways.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day gave notice that he was about to sign, and did sign, in open session:

H. J. M. No. 4.
H. J. M. No. 6.
H. B. No. 34.
H. B. No. 72.
H. B. No. 77.
H. B. No. 102.
H. B. No. 104.
H. B. No. 105.
H. B. No. 106.
H. B. No. 112.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Printing: That S. B. Nos. 90, 97, 110 and 103 have been returned from the printer correctly printed.

Engrossing: That S. B. Nos. 83, Sub. No. 18, S. J. M. No. 1 and S. J. R. No. 5 have been correctly engrossed.

Public Morals: That S. B. No. 57 do pass.

Insurance: That S. B. No. 118 do pass.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time, and referred to committees:

S. B. No. 120, by Simmons: A Bill for an Act entitled: "An Act establishing and defining the boundary line between Park and Carbon Counties." To New Counties and Divisions.

S. B. No. 121, by Benjamin and Nass: A Bill for an Act entitled: "An Act to amend Section 3 of Chapter 108 of the Session Acts of the Twentieth Legislative Assembly of Montana of 1927, relating to oil and gas leases on state lands and authorizing the State Board of Land Commissioners to grant exploratory permits covering not to exceed two thousand five hundred sixty (2560) acres of land for the purpose of testing undeveloped areas or structures for oil and gas." To Oils and Leases.

S. B. No. 122, by Campbell and Larson: A Bill for an Act entitled: "An Act to amend Section 10 of Chapter 105 of the Session Acts of the Twenty-third Session, 1933, limiting the number of state liquor stores." To State Boards and Offices.

S. B. No. 123, by Kelsey: A Bill for an Act entitled: "An Act to amend Section 3, Chapter 20, Extraordinary Session, of the Twenty-third Legislative Assembly for 1933 and 1934, and providing a County Director of Emergency Relief and an Advisory Council." To Relief and Social Welfare.

S. B. No. 124, by Meyer: A Bill for an Act entitled: "An Act to amend Section 8868 of the Revised Codes of Montana of 1921, relating to the disqualification of judges in civil and criminal actions." To Judiciary.

S. B. No. 125, by Oliver: A Bill for an Act entitled: "An Act relating to building and loan associations, and requiring such associations to annually file with county assessors statements showing the names of their stockholders, amounts standing to the credit of the shares of stock of such stockholders, and amounts owing to such associations on account of loans made to such stockholders, and providing a penalty for failure to file such statements." To Corporations Other than Municipal.

S. B. No. 126, by Murphy: A Bill for an Act entitled: "An Act pertaining to purchases made in retail stores; providing for sales slips; providing penalties for the violation thereof." To Taxation.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Lovell, duly seconded and carried, that House Bill No. 252 be taken from the Committee on Livestock and Public Ranges and re-referred to the Committee on Highways.

It was moved by Spiegel, duly seconded and carried, that consideration of Substitute House Bill No. 42 be passed for the day.

It was moved by Leavitt, duly seconded and carried, that consideration of House Bill No. 276 be passed for the day.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following were introduced, read first and second time and referred to committees; all appropriation measures having been read at length:

Senate Joint Resolution No. 5, introduced by Putnam: "A Resolution requesting the enactment by Congress of the United States of Senate Bill No. 266, now pending in the Senate of the United States, being a bill to provide for the erection of a public historical museum in the Custer Battlefield National Cemetery in Montana." Referred to Committee on Federal Relations.

Senate Joint Memorial No. 1, introduced by Committee on Mines and Mining: "A Resolution Memorializing the Congress of the United States, endorsing the passage and approval of the bill introduced by the Honorable Burton K. Wheeler, United States Senator from Montana, fixing the free and unlimited coinage of silver on a basis of sixteen ounces of silver to one ounce of gold." Referred to Committee on Mines and Mining.

Substitute Senate Bill No. 18, introduced by Committee on Taxation: A Bill for an Act entitled: "An emergency Act relating to taxation, providing for the payment in installments of taxes and assessments delinquent and unpaid on December 1, 1934, and repealing Chapter 45 of the Acts of the Extraordinary Session of the Twenty-third Legislative Assembly of Montana and all other Acts and parts of Acts in conflict herewith." Referred to Committee on Revenue and Taxation.

Senate Bill No. 83, introduced by Putnam: A Bill for an Act entitled: "An Act amending Chapter One Hundred and Two (102) of the 1933 Session Laws of the State of Montana and defining the offense of kidnaping and prohibiting the payment of a ransom to kidnapers and relating to the trial of same and the punishment therefor and to repeal Sections 10970, 10971 and 10972 of the Revised Codes of Montana of 1921, in relation to kidnaping." Referred to Committee on Judiciary.

House Bill No. 402, introduced by Minette: A Bill for an Act entitled: "An Act providing for consolidation of school districts: Providing for transportation: Providing for officers and providing certain districts shall not receive aid from the State Equalization Fund." Referred to Committee on Education.

House Bill No. 403, introduced by Kelly: A Bill for an Act entitled: "An Act to amend Section 1759, Revised Codes of Montana, 1921, as amended, and to amend Section 1757, Revised Codes of Montana, 1921, as amended, relative to the issuance of automobile license plates, said amendment to provide for the issuance of such plates by the County Treasurer." Referred to Committee on Highways.

House Bill No. 404, introduced by O'Byrne, Spiegel, Neary: A Bill for an Act entitled: "An Act prohibiting one man working alone in stopes, drifts, cross-cuts, rills, shafts, winzes, jacket sets, or any place where excavation work is carried on in underground metal mines; making an exception in certain cases, and providing a penalty therefor, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Mines and Mining.

House Bill No. 405, introduced by Toomey, by request: A Bill for an Act entitled: "An Act to amend Section 10307 of the Revised Codes of Montana of 1921, as amended by Chapter 141 of the Session Laws of Montana Twenty-third Legislative Session 1933, relating to the order in which debts are to be paid against estates of deceased persons." Referred to Committee on Judiciary.

House Bill No. 406, introduced by Stevens: A Bill for an Act entitled: "An Act to appropriate money for the equipment, operation and maintenance of the State Bureau of Criminal Identification and Investigation for the period beginning July 1, 1935, and ending June 30, 1937." Referred to Committee on Appropriations.

House Bill No. 407, introduced by Stimatz: A Bill for an Act entitled: "An Act for the prevention of frauds in connection with the voting franchise, providing that all voters in counties where 22,000 or more are registered be photographed by the County Clerk and Recorder; providing a system of registering voters; enacting rules and regulations relative to such photographing registration and voting; providing for the arrest and prosecution of persons violating this Act, absent voting under the Act and for penalties for violations hereof." Referred to Committee on privileges and Elections.

House Bill No. 408, introduced by Leavitt and Masterson: A Bill for an Act entitled: "An Act to amend Section 31 of Chapter 106 of the Laws of the Twenty-third Legislative Assembly, 1933, as amended by Section 11 of Chapter 46 of the Laws of the Extraordinary Session of the Twenty-third Legislative Assembly, 1933, relating to the purchase and sale of beer. Providing that beer shall not be sold to minors and/or other designated persons, prohibiting minors from frequenting places where beer is dispensed, sold or handled, except as provided in this Act and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Public Morals, Charities and Reforms.

House Bill No. 409, introduced by Brennan, by request: A Bill for an Act entitled: "An Act to amend Section 7184 of the Revised Codes of Montana of 1921, as amended by Section Six of Chapter 157, of the Session Laws of 1923, relating to the qualification and designation of electors entitled to vote at irrigation district elections and the manner of voting by agents, co-owners and purchasers of land under contract of sale." Referred to Committee on Irrigation and Water Rights.

House Joint Resolution No. 6, introduced by Lippard and Gordon: "Relative to the employment of granite workers." Referred to Committee on Federal Relations.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

House Bill No. 235, introduced by Holding and Burris, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Burris, Chamberlain, Chapman, Connors, Cusick, Egan, Emmett, Emmons, Ewing, Foor, Gordon, Gray, Haight, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Leary, Lemmer, Liggett, Lippard, Lott, Lovell, Manning, Miller (Roosevelt), Mulholland, Mundy, O'Byrne, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Valley), Quigley, Ryan, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Whaley, White (Judith Basin), York. Total 55.

Noes: Acher, Bertsche, Boone, Brennan, Buttelman, Conner, Doe, Ecton, Goodwin, Hall, Hamilton, Lasby, Leavitt, McCausland, McLaughlin, Masterson, Metlen, Miller (Big Horn), Mitchell, Neary, Nelson, Nutting, O'Brien, O'Connor, Peterson (Gallatin), Scofield, White (Hill), Worden, Mr. Speaker. Total 29.

Absent and not voting: Busch, Byrne, Coultas, Fowler, Green (Dawson), Groene (Fergus), Harlen, Harwood, Kuhl, Logan, Minette, Monahan, Moss, Ritch, Rolph, Stromnes, Toomey, Watson. Total 18.

The Speaker: Fifty-five have voted "aye"; twenty-nine have voted "no"; House Bill No. 235 has passed the House.

House Bill No. 192, introduced by Chamberlain, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Buttelman, Chamberlain, Chapman, Conner, Connors, Cusick, Doe, Ecton, Egan, Emmons, Ewing, Foor, Goodwin, Gordon, Groene (Fergus), Haight, Hall, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stromnes, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 83.

Noes: Emmett, Gray, Hamilton, Stimatz. Total 4.

Absent and not voting: Busch, Byrne, Coultas, Fowler, Green (Dawson), Harlen, Harwood, Joffray, Kruse, McLaughlin, Moss, Mundy, Ritch, Watson, Toomey. Total 15.

The Speaker: Eighty-three have voted "aye"; four have voted "no"; House Bill No. 192 has passed the House.

House Bill No. 236, introduced by Committee on Agriculture, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Brennan, Buttelman, Chamberlain, Chapman, Conner, Cusick, Ecton, Egan, Ewing, Foor, Goodwin, Gray, Hall, Heavlin, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Leary, Leavitt, Liggett, Logan, Lott, Lovell, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Minette, Mundy, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ryan, Scofield, Sherman, Smith, Stevens, Stimatz, Toomey, Whaley, White (Judith Basin), White (Hill), York. Total 62.

Noes: Bertsche, Boone, Burris, Doe, Emmett, Emmons, Gordon, Haight, Hamilton, Haugan, Hedden, Lasby, Lippard, McCausland, Miller (Big Horn), Nelson, Stromnes, Worden, Mr. Speaker. Total 19.

Absent and not voting: Busch, Byrne, Connors, Coultas, Fowler, Green (Dawson), Groene (Fergus), Harlen, Harwood, Lemmer, Monahan, Moss, Ritch, Rolph, Southmayd, Sexton, Watson. Total 17.

The following passed their vote: Mitchell, Mulholland, Neary, Spiegel. Total 4.

The Speaker: Sixty-two have voted "aye"; nineteen have voted "no"; House Bill No. 236 has passed the House.

House Bill No. 206, introduced by Toomey, Smith and Padbury, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Buttelman, Chamberlain, Chapman, Conner, Connors, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Haight, Hall, Hamilton, Haugan, Heavlin, Hedden, Holding Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 87.

Noes: None.

Absent and not voting: Busch, Byrne, Coultas, Doe, Fowler, Green (Dawson), Groene (Fergus), Harlen, Harwood, Joffray, Moss, Nutting, Ritch, Watson. Total 14.

The following passed his vote: McCausland.

The Speaker: Eighty-seven have voted "aye"; none have voted "no"; House Bill No. 206 has passed the House.

House Bill No. 237, introduced by Committee on Agriculture, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Boone, Brennan, Burris, Buttelman, Byrne, Chamberlain, Chapman, Connors, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gray, Green (Dawson), Hamilton, Heavlin, Hedden, Hinerman, Joffray, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Leavitt, Liggett, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Minette, Mitchell, Monahan, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Stevens, Stimatz, Toomey, Whaley, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 77.

Noes: Bertsche, Gordon, Haugan, Lemmer, Lippard, Miller (Big Horn), Stromnes, Worden. Total 8.

Absent and not voting: Busch, Conner, Coultas, Doe, Fowler, Groene (Fergus), Haight, Harlen, Harwood, Kelly, Moss, Ritch, Southmayd, Watson. Total 14.

The following passed their vote: Hall, Holding, Mulholland. Total 3.

The Speaker: Seventy-seven have voted "aye"; eight have voted "no"; House Bill No. 237 has passed the House.

House Bill No. 209, introduced by Spiegel and Ryan, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Brennan, Burris, Buttelman, Chamberlain, Chapman, Conner, Connors, Cusick, Egan, Emmons, Foor, Fowler, Goodwin, Green (Dawson), Groene (Fergus), Haight, Hamilton, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Lemmer, Logan, Lott, Lovell, Manning, Mastreson, Metlen, Miller (Roosevelt), Mitchell, Monahan, Mulholland, Neary, O'Brien, O'Byrne, O'Connor, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Sexton, Sherman, Southmayd, Spiegel, Stimatz, Stromnes, Whaley, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 64.

Noes: Bertsche, Boone, Byrne, Doe, Ecton, Gordon, Gray, Hall, Haugan, Kelly, Leavitt, Liggett, McCausland, Miller (Big Horn), Mundy, Nelson, Nutting, Padbury, Scofield, Smith, Toomey, Worden. Total 22.

Absent and not voting: Acher, Ballard, Busch, Coultas, Emmett, Ewing, Harlen, Harwood, McLaughlin, Minette, Moss, Ormsbee, Ritch, Stevens, Watson. Total 15.

The following passed his vote: Lippard.

The Speaker: Sixty-four have voted "aye"; twenty-two have voted "no"; House Bill No. 209 has passed the House.

Substitute House Bill No. 204, introduced by Stevens and McLaughlin, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Brennan, Buttelman, Byrne, Chapman, Conner, Cusick, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Hedden, Holding, Hinerman, Joffray, Johnson, Kruse, Kuhl, Lasby, Leary, Leavitt, Liggett, Lippard, Logan, Lovell, McLaughlin, Masterson, Miller (Roosevelt), Miller (Big Horn), Monahan, Mundy, Neary, Nelson, Nutting, O'Brien, Ormsbee, Parker, Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Sexton, Sherman, Smith, Southmayd, Stevens, Stimatz, Whaley, White (Judith Basin), White (Hill), Worden, Mr. Speaker. Total 66.

Noes: Bertsche, Boone, Burris, Chamberlain, Doe, Ecton, Goodwin, Haugan, Heavlin, Kathan, Kelly, Lemmer, Lott, McCausland, Metlen, Mulholland, O'Byrne, O'Connor, Padbury, Scofield, Spiegel, Stromnes, Toomey, York. Total 24.

Absent and not voting: Ballard, Busch, Connors, Coultas, Harlen, Harwood, Minette, Moss, Watson. Total 9.

The following passed their vote: Manning, Mitchell, Petersen (Sheridan). Total 3.

The Speaker: Sixty-six have voted "aye"; twenty-four have voted "no"; Substitute House Bill No. 204 has passed the House.

The Speaker announced he was about to sign Senate Bill No. 19, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 42, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 1, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND
READING OF THE SAME

The following were introduced, read first and second time, and referred to committees; all appropriation measures having been read at length:

House Bill No. 410, introduced by Southmayd: A Bill for an Act entitled: "An Act to amend Section 12288 of the Revised Codes of Montana, 1921, as amended by Chapter 185, Session Laws of 1933, relating to the appointment, salary and duties of probation officers." Referred to Townships and Counties.

House Bill No. 411, introduced by Cusick: A Bill for an Act entitled: "An Act to amend Section 3694, Revised Codes of Montana, 1921, as amended by Chapter 59, Session Laws of the Twentieth Legislative Assembly, 1927, as further amended by Chapter 162, Session Laws of the Twenty-second Legislative Assembly, 1931, relating to restrictions of manner of taking and possessing fish and game and power of commission relating thereto." Referred to Committee on Fish and Game.

House Bill No. 412, introduced by Parker: A Bill for an Act entitled: "An Act providing for the appointment of special officers by the Attorney General to assist in the enforcement of the Penal Laws of this state, and appropriating money for the payment of all expenses incurred hereunder for a period beginning March 1, 1935, and ending March 1, 1937." Referred to Committee on Appropriations.

House Bill No. 413, introduced by Parker: A Bill for an Act entitled: "An Act to amend Sections 4819 and 199, Subdivision 5, Revised Codes of Montana of 1921, relating to the duties of County Attorneys and to the supervisory powers of the Attorney General." Referred to Committee on State Boards and Officers.

House Bill No. 414, introduced by Parker: A Bill for an Act entitled: "An Act to amend Sections 11817, 11818, 11821, 11826, 11827 and 11832 of the Revised Codes of Montana of 1921, relating to the oath of office, duties, and powers of grand juries." Referred to Committee on Judiciary.

House Bill No. 415, introduced by Masterson: A Bill for an Act entitled: "An Act relating to School Trustees of districts of the first class in counties of the sixth and seventh classes, providing for the annual meeting and organization of such trustees, who shall be chairman and secretary thereof and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Education.

House Bill No. 416, introduced by Mitchell, Boone, Joffray, Neary and O'Brien: A Bill for an Act entitled: "An Act levying a ten per cent (10%) tax on all sub-contracts let by any person to any sub-contractor involving the construction or maintenance of any highway and public buildings of all character in the State of Montana; defining the powers and duties of the State Board of Equalization and other officers in relation to the administration of this Act, and prohibiting the payment of contractors who are subject to this Act until evidence is furnished of compliance with said Act." Referred to Committee on Revenue and Taxation.

House Bill No. 417, introduced by Watson and Worden: A Bill for an Act entitled: "An Act to amend Section 1116 of the Revised Codes of Montana, 1921, as amended by Section 1 of Chapter 150 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana for 1927, relative to salary deductions for the teachers retirement salary fund and providing for contributions from the state for partial support of said fund and repealing all Acts in conflict herewith." Referred to Committee on Education.

House Bill No. 418, introduced by Cusick: A Bill for an Act entitled: "An Act to regulate and license outdoor advertising." Referred to Committee on Revenue and Taxation.

House Bill No. 419, introduced by Committee on Revenue and Taxation, by request: A Bill for an Act entitled: "An Act to amend Chapter Fifty-two (52) of the Laws of the Extraordinary Session, Twenty-third Assembly, 1933-34, relating to certain license fees fixing the amount of such license fees and prescribing a method for the assessment thereof." Referred to Committee on Revenue and Taxation.

House Bill No. 420, introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act relating to the sale of cigarettes, and cigarette papers, and wrappers and papers used for the making of cigarettes, and imposing taxes thereon; and the levy, assessment, collection, payment and distribution of a tax thereon; providing for issuing licenses for the privilege of engaging in the business of the sale thereof, and providing for the levy, assessment, collection, payment and distribution of a tax for the privilege of engaging in such business; providing for the regulation of the sales thereof, the enforcement of such tax and license, and penalty for violation of this Act; defining the duties of state and county officials, and designating the funds into which the proceeds derived from such licenses and stamps shall be paid." Referred to Committee on Revenue and Taxation.

House Bill No. 421, introduced by Ahlgreen: A Bill for an Act entitled: "An Act to amend Sections 44 and 45, Revised Codes of Montana, 1921, relative to the apportionment of the membership of the House of Representatives, said amendment providing for a reapportionment based on the 1930 census on a ratio of one representative for each six thousand population, or major fraction thereof." Referred to Committee on Apportionment and Representation.

House Bill No. 422, introduced by Emmons, Burris, Spiegel, O'Byrne: A Bill for an Act entitled: "An Act to establish a Minimum Wage Commission, and provide for the determination and establishment of minimum wages for women minors; to declare public policy; to provide an appropriation therefor; to provide for penalties for violation thereof and repealing all Acts in conflict herewith." Referred to Committee on Appropriations.

House Bill No. 423, introduced by O'Brien: A Bill for an Act entitled: "An Act providing for a feed lien on livestock in favor of licensed merchants furnishing hay and feed stuffs for such livestock." Referred to Committee on Livestock and Public Ranges.

House Bill No. 424, introduced by Anderson, Quigley, York and Petersen of Sheridan: A Bill for an Act entitled: "An Act to amend Section 2231, Revised Codes of Montana, 1921, relating to assessments and sale of real estate for taxes." Referred to Committee on Revenue and Taxation.

House Bill No. 425, introduced by Stevens: A Bill for an Act entitled: "An Act to provide for license tax upon the privilege of engaging in certain business, and levying a tax upon the gross sales made in such business, and/or the gross income of such businesses; to provide for the disposition of the revenue received, and to provide definitions and penalties." Referred to Committee on Revenue and Taxation.

House Bill No. 426, introduced by Groene of Fergus: A Bill for an Act entitled: "An Act to amend Section 11159, Revised Codes of Montana, 1921, relating to the prohibition of gambling games, and repealing all Acts and parts of Acts in conflict therewith." Referred to Committee on Public Morals, Charities and Reforms.

House Bill No. 427, introduced by Watson, Worden, Holding: A Bill for an Act entitled: "An Act to amend Section 571, of the Revised Codes of Montana, of 1921, relating to compensation of County Clerks for furnishing poll-books." Referred to Committee on Privileges and Elections.

House Bill No. 428, introduced by O'Brien: A Bill for an Act entitled: "An Act prohibiting the sale, barter or exchange of gasoline, benzine or naphtha which contains any artificial coloring matter; making the violations of this Act a misdemeanor and providing penalties." Referred to Committee on Petroleum, Oil and Gas.

House Bill No. 429, introduced by Brennan, by request: A Bill for an Act entitled: "An Act to amend Section 45 of Chapter 105 of the Session Laws of 1933 (commonly called the Liquor Control Act of Montana), relating to the possession and sale of intoxicating liquors and to add a new section to said Chapter 105, which new Section shall be known as Section 88(a), relating to the jurisdiction of District Courts in all actions arising under the provisions of said Chapter 105, and repealing all Acts and parts of Acts in conflict therewith." Referred to Committee on Judiciary.

House Bill No. 430, introduced by Scofield: A Bill for an Act entitled: "An Act to amend Section 2473 of the Revised Codes of Montana, 1921, relative to the establishment of County Boards of Health, designating the persons who shall constitute said board, defining their qualifications, providing for the county health officer, prescribing his powers and duties and providing for the manner of payment of the salary of the county health officer." Referred to Committee on Public Health and Sanitary Affairs.

House Bill No. 431, introduced by Smith, by request: A Bill for an Act entitled: "An Act to amend Section 83 of Chapter 148 of the Session Laws of Montana of 1931, relating to the powers and duties of the Boards of Trustees of school districts and county high schools." Referred to Committee on Education.

House Bill No. 432, introduced by Toomey and Harwood: A Bill for an Act entitled: "An Act to amend Section 590 of the Revised Codes of the State of Montana, 1921, relating to the appointment of judges of election." Referred to Committee on Privileges and Elections.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 28, entitled: "An Act providing for the creation of a separate Department of Labor and Industrial Relations, prescribing its powers and duties," respectfully report as follows: That House Bill No. 28 do not pass and that Substitute House Bill No. 28 do pass.

MULHOLLAND, Chairman.

On motion of Mulholland, report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 255, entitled: "An Act to amend Section 3418, Revised Codes of Montana, 1921, relative to the appointment, term, and compensation of quartz mine inspectors, the said amendment to provide for the election of one such inspector, the appointment of a deputy when necessary and fixing their salaries," respectfully report as follows: That House Bill No. 255 do not pass and that Substitute House Bill No. 255 do pass.

MULHOLLAND, Chairman.

On motion of Mulhoiland, report adopted.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 120, entitled: "An Act to define osteopathy and to authorize and regulate the practice of osteopathic physicians and osteopathic surgeon and to provide penalties for the violation of this Act, and to repeal Sections 3125 to 3137 inclusive of the Revised Codes of Montana of 1921 and Chapter 79 of the Session Laws of 1925, and all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 120, having been returned to this committee for reconsideration, recommend that same be again placed on General Orders as printed.

YORK, Chairman.

On motion of York, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 251, entitled: "An Act establishing the county unit plan for the organization, administration and support of the public schools of the state, creating county school districts and subdivisions thereof, defining the organization, administration and functions of such county school districts and subdivisions, abolishing certain school districts heretofore existing, disposing of their property and making provisions for the payment of their indebtedness, creating County Boards of Education for the administration of county school districts and Boards of Trustees for certain independent sub-districts, specifying their powers and duties, and providing for their organization and for the reorganization of existing boards to conform thereto, establishing a uniform system of school elections, requiring the preparation and adoption annually of school budgets, authorizing the making of tax levies for the support of the schools of the several counties, and repealing Sections 985 to 991 inclusive, 995, 997, to 1002 inclusive, 1004 to 1008 inclusive, 1014, 1020 to 1039 inclusive, 1040 to 1048 inclusive, 1173 and 1181 to 1186 inclusive, Revised Codes of Montana, 1921, and all Acts amendatory thereof, or of any thereof, and all Acts and parts of Acts in conflict with this Act," respectfully report as follows: That House Bill No. 251 do not pass.

PETERSON OF VALLEY, Chairman.

On motion of Peterson of Valley, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 250, entitled: "An Act establishing the county unit plan for the organization, administration and support of the public schools of the state, creating county school districts and subdivisions thereof, defining the organization, administration and functions of such county school districts and subdivisions abolishing certain school districts heretofore existing, disposing of their property and making provisions for the payment of their indebtedness, creating County Boards of Education for the administration of County Boards of Trustees for certain independent sub-districts, specifying their powers and duties, and providing for their organization and for the reorganization of existing boards to conform thereto, designating certain school administrative and supervisory officers and specifying their qualifications and manner of appointment, establishing a uniform system of school elections, requiring the preparation and adoption annually of school budgets, authorizing the making of tax levies for the support of the schools of the several counties, and repealing certain sections of the Revised Codes of Montana, of 1921, and certain Acts of the Legislative Assembly of the State, and all other Acts and parts of Acts in conflict herewith and providing for county support of public schools, and for tax levies to provide the necessary revenue therefor, and for the transportation of pupils," respectfully report as follows: That House Bill No. 250 do not pass but that Substitute House Bill No. 250 do pass.

PETERSON OF VALLEY, Chairman.

On motion of Peterson of Valley, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 22, entitled: "An Act to amend Section 2231, Revised Codes, Montana, in relation to assessment and sale of real estate for taxes," respectfully report as follows: That House Bill No. 22 do not pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 200, entitled: "An Act providing for the levy and imposition of a gross income tax upon the privilege of engaging in occupation in the State of Montana; defining terms used in said Act; providing for exemptions and fixing the basis and rate of tax; prescribing the duties and powers of the State Board of Equalization in the administration of said Act; providing procedure and machinery for administration thereof; fixing the jurisdiction of the courts in connection with review and appeal under this Act; providing for regulatory measures for the enforcement of said Act; providing for the distribution of said tax; providing penalties for the violation hereof and making appropriations and creating reserve funds to carry out its purpose and administration and repealing Chapter 181 of the Laws of the Twenty-third Legislative Assembly, 1933, Chapter 40 of the Extraordinary Session of the Twenty-third Legislative Assembly and all other Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 200 be printed and placed on General Orders.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 50, entitled: "An Act to amend Chapter 8 of the Acts of the Twenty-third Legislative Assembly of the State of Montana, relating to the letting of contracts by Boards of County Commissioners for the purchase of automobiles, trucks, vehicles, road, highway, or other machinery, apparatus, appliances, equipment, materials and supplies," respectfully report as follows: That Senate Bill No. 50 be concurred in.

BALLARD, Chairman.

On motion of Ballard, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 245, entitled: "An Act to amend Section 4465 Revised Codes of Montana, 1921, as amended by Chapter 95, Acts of the 18th Legislative Assembly and by Chapter 54, Acts of the 20th Legislative Assembly and by Chapters 38 and 142, Acts of the 21st Legislative Assembly and by Chapter 100, Acts of the Twenty-second Legislative Assembly and by Chapter 74, Acts of the Twenty-third Legislative Assembly, relating to the general and permanent powers of Boards of County Commissioners," respectfully report as follows: That House Bill No. 245 do pass.

BALLARD, Chairman.

On motion of Ballard, report adopted.

The Speaker announced the following committee to act on the resolution by Harlen, adopted February 14th: Harlen, Chairman; Haight, Stromnes, Padbury and Watson.

MOTIONS AND RESOLUTIONS

It was moved by Toomey, duly seconded, that House Bill No. 256 be taken from the Committee on State Boards and Officers and printed and placed on General Orders.

On substitute motion, it was moved by Groene of Fergus, duly seconded and carried, that House Bill No. 256 be re-referred to the Committee on Townships and Counties. Whereupon, motion by Toomey was lost.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bills Nos. 238, 124, 277 and 191.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing, beg leave to report the following correctly printed: House Bills Nos. 340, 359, 262, 147 and 230. House Memorial No. 2 and Substitute House Bill No. 279.

McCAUSLAND, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Dairying, having had under consideration House Bill No. 232, entitled: "An Act providing for standards for the grading of creamery butter; and to amend Section 59 of Chapter 39 of the Session Laws of 1933, relating to the regulations governing the purchase of milk and cream and providing for standards for the grading thereof; providing for grade purchase differentials; providing for the enforcement thereof and penalties for the violation thereof; and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 232 do not pass but that Substitute House Bill No. 232 do pass.

AHLGREEN, Chairman.

On motion of Ahlgreen, report adopted.

Mr. Speaker: We, your Committee on Apportionment and Representation, having had under consideration House Bill No. 374, entitled: "An Act to amend Sections 44 and 45, Revised Codes of Montana, 1921, relative to the apportionment of the membership of the House of Representatives, said amendment providing for a reapportionment based on the 1930 census on a ratio of one representative for each eight thousand population, or major fraction thereof," respectfully report as follows: That House Bill No. 374 do pass.

CONNER, Chairman.

On motion of Conner, report adopted.

Mr. Speaker: We, your Committee on Apportionment and Representation, having had under consideration House Bill No. 421, entitled: "An Act to amend Sections 44 and 45, Revised Codes of Montana, 1921, relative to the apportionment of the membership of the House of Representatives, said amendment providing for a reapportionment based on the 1930 census on a ratio of one representative for each six thousand population, or major fraction thereof," respectfully report as follows: That House Bill No. 421 do not pass.

CONNER, Chairman.

On motion of Conner, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Burris, duly seconded and carried, that House Bill No. 256 be taken from the Committee on Townships and Counties, printed and placed on General Orders.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND
READING OF THE SAME

The following were introduced, read first and second time and referred to committees; all appropriation measures having been read at length:

House Joint Memorial No. 11, introduced by Lovell: "A Memorial memorializing the President and Congress of these United States to enact proper legislation reducing the hours in any one day in which persons may be employed for hire to be not more than six (6) hours." Referred to Committee on Labor.

Substitute House Bill No. 250, introduced by Committee on Education: A Bill for an Act entitled: "An Act establishing the county unit plan for the organization, administration and support of the public schools of the state, creating county school districts and subdivisions thereof, defining the organization, administration and functions of such county school districts and subdivisions, abolishing certain school districts heretofore existing, disposing of their property and making provisions for the payment of their indebtedness, creating County Boards of Education for the administration of county school districts and Boards of Trustees for certain independent subdistricts, specifying their powers and duties, and providing for their organization and for the reorganization of existing boards to conform thereto, designating certain school administrative and supervisory officers and specifying their qualifications and manner of appointment, establishing a uniform system of school elections, requiring the preparation and adoption annually of school budgets, authorizing the making of tax levies for the support of the schools of the several counties, and repealing certain sections of the Revised Codes of Montana, of 1921, and certain Acts of the Legislative Assembly of the state, and all other Acts and parts of Acts in conflict herewith, and providing for county support of public schools, and for tax levies to provide the necessary revenue therefor, and for the transportation of pupils." Referred to Committee on Printing.

Substitute House Bill No. 28, introduced by Committee on Labor: A Bill for an Act entitled: "An Act amending Section 3635, Revised Codes of Montana, 1921, relating to the duties of the Department of Agriculture, Labor, and Industry, adding certain duties to such department, and to County Attorneys in the enforcement of labor laws." Referred to Committee on Printing.

Substitute House Bill No. 232, introduced by Committee on Dairying: A Bill for an Act entitled: "An Act providing for standards for the grading of creamery butter; and to amend Section 59 of Chapter 39 of the Session Laws of the Twenty-second Legislative Assembly, 1931, as further amended by Chapter 39, of the Session Laws of the Twenty-third Legislative Assembly, 1933, and to add to such Act two new sections, numbered 59A and 59B, said amendment and new sections relating to the following subjects: Regulations governing the purchase of milk and cream and providing for standards for the grading thereof; providing for grade purchase differentials; providing for the enforcement thereof and penalties for the violation thereof; and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Printing.

House Bill No. 433, introduced by Toomey, by request: A Bill for an Act entitled: "An Act relative to the duties of Public Administrator upon the expiration of term of office, providing for settlement of accounts, succession to the office and administrations in estates, requiring such retiring administrator to surrender administration of estates to his successor, and providing penalties for violation of this Act." Referred to Committee on Judiciary.

House Bill No. 434, introduced by Toomey, by request: A Bill for an Act entitled: "An Act appropriating money for the payment of a certain claim made by Pietro Maria Amabile Notti, as Consular Agent of Italy at Butte, Montana, by reason of certain moneys belonging to Frank Deorro, deceased, and paid and delivered to the State Treasurer of the State of Montana pursuant to Section 10001, Revised Codes of Montana of 1921, as amended by Chapter 119 of the Session Laws of 1929, relating to the duties of Public Administrators in handling estate moneys and directing the State Auditor to draw his warrant in settlement of said claim." Referred to Committee on Appropriations.

House Bill No. 435, introduced by Groene of Fergus, by request: A Bill for an Act entitled: "An Act to amend Chapter 106 of the Laws of the Twenty-third Legislative Assembly of the State of Montana for the year 1933, relating to the licensing and regulation of the manufacture, sale and distribution of beer and other similar fermented beverages, and for the raising and disposition of revenues therefrom, by adding a new section to be known as Section 13½, relating to brewer's licenses." Referred to Committee on Revenue and Taxation.

House Bill No. 436, introduced by Mitchell, Neary, O'Byrne, Joffray, Ryan: A Bill for an Act entitled: "An Act to authorize Boards of County Commissioners to take assignments of rent due to property owners under certain conditions in satisfaction for taxes due from said property owners." Referred to Committee on Townships and Counties.

House Bill No. 437, introduced by Lasby, Lott, Joffray: A Bill for an Act entitled: "An Act defining 'accomodation smelters' and 'custom smelters'; providing an emergency exists making 'custom smelters' a public convenience and necessity thereby making 'custom smelter' a public utility; defining the duties of the Public Service Commission of Montana relative to 'custom smelter'; providing for the appointment and duties of an 'umpire'; fixing reasonable rules and regulations for the weighing and sampling and adjusting disputed claims on ore shipments to 'custom smelters' and providing a fee from ore to be smelted for carrying out the provisions of this Act and creating a special fund from such receipts to be known as a 'smelter umpire fund'." Referred to Committee on Public Utilities, and State Commissions.

House Bill No. 438, introduced by Committee on Fish and Game: A Bill for an Act entitled: "An Act to amend Section 3718, Revised Codes of Montana, 1921, relating to dumping refuse in streams." Referred to Committee on Fish and Game.

House Bill No. 439, introduced by Burris: A Bill for an Act entitled: "An Act to provide the appropriation of \$5,000, to the Registrar of Motor Vehicles for the intent purpose of the printing of the license registration list of motor vehicles in the State of Montana." Referred to Committee on Appropriations.

House Bill No. 440, introduced by White of Hill, by request: A Bill for an Act entitled: "An Act for the estblishment of school districts of special classes for the instruction of children suffering from disease, deformity, physical or mental defect, or inaptitude; providing state aid for the maintenance of such schools; defining the duties of the Common

School Equalization Board, the State Auditor, and the State Treasurer in administering this Act, and repealing all Acts in conflict herewith." Referred to Committee on Education.

House Bill No. 441, introduced by Monahan: A Bill for an Act entitled: "An Act to amend Section 5715 of the Revised Codes of Montana of 1921, relating to the evidence required by the Clerk of the District Court in issuing marriage licenses, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Public Morals, Charities and Reforms.

House Bill No. 442, introduced by Ormsbee and Masterson: A Bill for an Act entitled: "An Act creating the Montana Highway Patrol Commission, designating the members thereof, providing for the selection, qualification and duties of a chief patrol officer and patrolmen; defining certain offenses on the highways as menaces to the public health and safety, and fixing penalties for the infraction thereof; providing for state drivers' licenses; creating a highway patrol revolving fund from licenses and fines and deeming this appropriation act an emergency act and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 443, introduced by Minette, Byrne, Nelson: A Bill for an Act entitled: "An Act requiring every person, firm, co-partnership, association, joint stock company, trust, syndicate and corporation engaging in or carrying on the business of refining or processing crude petroleum within the State of Montana to pay to the State of Montana, for engaging in or carrying on such business, certain license fees for the exclusive use and benefit of the State of Montana; fixing the amount of such license fees; prescribing a method for the assessment and collection thereof; and prescribing penalties for violation of the provisions of this Act." Referred to Committee on Revenue and Taxation.

House Bill No. 444, introduced by Leavitt: A Bill for an Act entitled: "An Act to amend Section 13 of Chapter 184 of the Laws of the Twenty-Second Legislative Assembly, 1931, relating to the policies of insurance and bonds to be furnished by motor carriers, providing the amount of said bonds and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Insurance.

House Bill No. 445, introduced by Leavitt: A Bill for an Act entitled: "An Act validating sale of real property heretofore made by a guardian, executor, or administrator and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 446, introduced by Leavitt, by request: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 195 of the Session Laws of the Twenty-second Legislative Assembly, 1931, releasing owners and operators of motor vehicles from responsibility for damages or injuries to gratuitous passengers, providing that the existence of negligence shall be a question of fact for the jury and the degree of negligence shall be a question of law and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Judiciary.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that Senate Bills Nos. 6 and 36 be placed at the head of the list on General Orders.

It was moved by Burris, duly seconded and carried, that House Bill No. 137 be placed at the foot of the list on General Orders to be considered jointly with House Bill No. 256.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 427, entitled: "An Act to amend Section 571, of the Revised Codes of Montana, of 1921, relating to compensation of County Clerks for furnishing poll books." respectfully report as follows: That House Bill No. 427 do pass.

HAIGHT, Chairman.

On motion of Haight, report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 407, entitled: "An Act for the prevention of frauds in connection with the voting franchise, providing that all voters in counties where 22,000 or more are registered be photographed by the County Clerk and Recorder; providing a system of registering voters; enacting rules and regulations relative to such photographing, registration and voting; providing for the arrest and prosecution of persons violating this Act, absent voting under the Act and for penalties for violations hereof," respectfully report as follows: That House Bill No. 407 do not pass.

HAIGHT, Chairman.

It was moved by Haight, duly seconded, that the report be adopted.

On substitute motion, it was moved by Minette, duly seconded and carried, that the adoption of the report be passed for the day.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Stromnes of Cascade in the Chair. Committee arose.

House resumed. Speaker pro tem, Rolph in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bills Nos. 6, 36 and House Bill No. 243, recommend the following:

All amendments referring to the printed bills unless otherwise specified.

That Senate Bill No. 6 be amended as follows: Amend on line No. 6, Section 1, by striking the period and adding the following: "guaranteed as to principal and interest by the United States Government"; and as amended, be concurred in.

That Senate Bill No. 36 be concurred in.

That House Bill No. 243 shall have the enacting clause stricken.

STROMNES, Chairman.

On motion of Stromnes, report adopted.

Mr. Speaker in the Chair.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND
READING OF THE SAME

The following were introduced, read first and second time and referred to committees; all appropriation measures having been read at length.

House Bill No. 447, introduced by Spiegel: A Bill for an Act entitled: "An Act to license slot machines and punch boards for money or tokens

redeemable in money and repealing all Acts or parts of Acts in conflict herewith." Referred to Committee on Revenue and Taxation.

House Bill No. 448, introduced by Burris: A Bill for an Act entitled: "An Act to amend Section 3722, Revised Codes of Montana of 1921, as amended by Chapter 77 of the Laws of 1923 and by Chapter 59 of the Laws of 1927 and by Chapter 99 of the Session Laws of 1931, relating to protection of beaver, and beaver license and tagging and repealing all laws in conflict therewith." Referred to Committee on Fish and Game.

House Bill No. 449, introduced by Committee on Revenue and Taxation, by request: A Bill for an Act entitled: "An Act to amend Sections 2089, 2090 and 2091 of the Revised Codes of Montana of 1921, relating to the statement of gross yield of mines and net proceeds, the computation and taxation thereof, and transmission of net proceeds and royalty assessments to the counties; as amended by Chapter 191, Laws of 1925, Chapters 139 and 140, Laws of 1927, Chapter 133, Laws of 1931, and Chapter 161, Laws of 1933; and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Revenue and Taxation.

House Bill No. 450, introduced by Green of Dawson: A Bill for an Act entitled: "An Act to amend Chapter 62 of the Laws of the Twentieth Legislative Assembly of the State of Montana, 1927, relating to the giving of notice of proposed Constitutional amendments by publication, mailing and otherwise." Referred to Committee on Constitutional Amendments.

House Bill No. 451, introduced by Ahlgreen: A Bill for an Act entitled: "An Act to amend Sections 23 and 25 of Chapter 60 of the Session Laws of the State of Montana of 1927, as amended by Chapter 42 of the Session Laws of the State of Montana of 1933, relating to the leasing of State Lands, determination of rental, term of lease, value for agricultural and grazing purposes and town, city and other lots." Referred to Committee on State Lands.

House Bill No. 452, introduced by Goodwin: A Bill for an Act entitled: "An Act to amend Section One (1) of Chapter Six (6) of the Session Laws of the Twenty-third Extraordinary Session 1933-34, relating to and authorizing any county, city, or town or school district having an outstanding valid indebtedness in an amount in excess of fifty per centum (50%) of the total indebtedness which it may lawfully incur under the provisions of the Constitution of this state, limiting the amount of indebtedness which may be incurred by counties, cities, towns and school districts, to refund its outstanding bonded indebtedness and providing the method and procedure therefor as amended by and under the provisions of Senate Bill No. 20 of the Regular Session of the Legislative Session of the Twenty-fourth Legislative Assembly of the State of Montana, 1935, herein particularly providing and extending the privileges of said Act to towns of less than one thousand inhabitants regardless of their relative percentage of total indebtedness to total assessed valuation, without qualification other than the certain three per centum provided generally by Section Six (6) of Article Thirteen (XIII) of the Constitution of the State of Montana." Referred to Committee on Affairs of Cities.

House Bill No. 453, introduced by Leavitt: A Bill for an Act entitled: "An Act to amend Section 81 of Chapter 148 of the Session Laws of the Twenty-second Legislative Assembly, 1931, relating to the attendance of high school pupils outside the county of his residence; directing the County Superintendent of Schools to authorize such attendance in certain cases and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Education.

House Bill No. 454, introduced by Groene of Fergus: A Bill for an Act entitled: "An Act to amend Sections 6347 and 6349, Revised Codes of Mon-

tana, 1921, relating to title insurance companies, the capital stock thereof, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Insurance.

House Bill No. 455, introduced by Watson and Worden: A Bill for an Act entitled: "An Act to amend Section 2 of Chapter 183 of the 19th Legislative Assembly relative to the amount of a Hucksters License." Referred to Committee on Labor.

House Bill No. 456, introduced by Committee on Labor: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter Seventy-seven of the Session Laws of the Twenty-third Legislative Assembly of Montana, relating to the hours of labor in and about cement plants and at quarries and hydro-electric dams." Referred to Committee on Labor.

House Bill No. 457, introduced by Committee on Labor: A Bill for an Act entitled: "An Act to amend Section 3072 of the Revised Codes of Montana of 1921, relating to hours of labor for smeltermen." Referred to Committee on Labor.

House Bill No. 458, introduced by Committee on Labor: A Bill for an Act entitled: "An Act to preserve the coal resources of the State of Montana from too rapid exhaustion without corresponding benefit to the state and to classify methods of mining coal and to distinguish underground mining of coal from strip mining of coal and open pit mining of coal; and an Act to amend Chapter 155 of the Session Laws of the Seventeenth Legislative Assembly of the State of Montana, approved March 5th, 1921, requiring every person, firm, association, joint stock company and corporation, engaged in or carrying on the business of coal mining, or engaged in working or operating any mine or mining property in the State of Montana, from which coal is mined, produced or extracted, to pay to the State Treasurer for engaging in the carrying on such business by any method, certain license taxes for the exclusive use and benefit of the State of Montana; fixing the amount of such license taxes; prescribing a method for the assessment and collection thereof; and prescribing the penalties for the violation of the provisions of this Act." Referred to Committee on Labor.

House Bill No. 459, introduced by Committee on Labor: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter eight of the Extraordinary Session Laws of the Twenty-third Legislative Assembly of Montana, relating to hours of labor for persons employed in retail stores; persons employed in delivering goods sold in such stores; persons employed in wholesale warehouses used for supplying retail establishments with goods; and persons employed in delivering goods to retail establishments from such wholesale warehouses." Referred to Committee on Labor.

House Bill No. 460, introduced by Committee on Labor: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter Ninety of the Session Laws of the Twenty-third Legislative Assembly of Montana, relating to the hours of labor in and about sugar refineries." Referred to Committee on Labor.

House Bill No. 461, introduced by Committee on Labor: A Bill for an Act entitled: "An Act to amend Section 3074 of the Revised Codes of Montana of 1921, relating to the hours of labor of telephone operators." Referred to Committee on Labor.

House Bill No. 462, introduced by Committee on Labor: A Bill for an Act entitled: "An Act to amend Section 2 of Chapter Seventy-six of the Session Laws of the Twenty-third Legislative Assembly of the State of Montana, relating to the hours of labor in strip mining." Referred to Committee on Labor.

House Bill No. 463, introduced by the Committee on Labor: A Bill for an Act entitled: "An Act to amend Section 3076 of the Revised Codes of Montana of 1921, relating to the hours of labor for female employees." Referred to Committee on Labor.

House Bill No. 464, introduced by the Committee on Labor: A Bill for an Act entitled: "An Act to amend Section 3079 of the Revised Codes of Montana of 1921, as amended by Chapter 116 of the Session Laws of 1929, relating to the hours of labor for state and municipal governments, mines, mills and smelters." Referred to Committee on Labor.

House Bill No. 465, introduced by the Committee on Labor: A Bill for an Act entitled: "An Act to amend Section 3068 of the Revised Codes of Montana of 1921, relating to hours of labor for hoisting engineers." Referred to Committee on Labor.

House Bill No. 466, introduced by the Committee on Labor: A Bill for an Act entitled: "An Act prescribing the hours of labor for persons employed in or about the erection, construction, repair, improvement or maintenance of buildings, and providing penalty for violation thereof." Referred to Committee on Labor.

House Bill No. 467, introduced by the Committee on Labor: A Bill for an Act entitled: "An Act to amend Section 3070 of the Revised Codes of Montana of 1921, relating to hours of labor for jailors in certain counties." Referred to Committee on Labor.

House Bill No. 468, introduced by Fowler, by request: A Bill for an Act entitled: "An Act requiring that all manufactured or processed food stuff, which is sold in packages or sacks, have printed on said package of such the same of the manufacturer; making the violation of the Act a misdemeanor, and providing penalties." Referred to Committee on Public Health and Sanitary Affairs.

House Bill No. 469, introduced by Cusick, Lasby and Green of Dawson: A Bill for an Act entitled: "An Act granting to the Montana Public Service Commission the right and power under certain conditions to purchase, transport and sell to the public, gasoline, automotive fuels, oils and lubricants and further granting said commission under certain conditions the right and power to enter into contracts with licensed retail gasoline dealers to sell the said products to the public; or to sell direct; providing for a record of all transactions and the fixing of reasonable rules and regulations for carrying out the provisions of this Act." Referred to Committee on Public Utilities and State Commissions.

House Bill No. 470, introduced by Boone: A Bill for an Act entitled: "An Act relating and adding to the powers and duties of the Commissioner of the Department of Agriculture, Labor and Industry by the creation of a division of housing for the purpose of constructing low cost housing in order to promote home ownership for persons of low income in the interests of increased labor activity and of health and the public welfare; providing for the appointment and compensation of assistants; making an appropriation for the conduct of said division; providing non-liability of State of Montana for all departmental Acts and defining the source of liability for departmental Acts; repealing all Acts in conflict herewith and declaring an emergency." Referred to Committee on State Boards and Officers.

House Bill No. 471, introduced by Stromnes, Bertsche, Kelly, Harwood, Foor: A Bill for an Act entitled: "An Act to permit wrestling matches and exhibitions in the State of Montana; providing for the direction, management, control, supervision and jurisdiction over such wrestling matches and exhibitions; providing the amount and collection of fees for issuance of licenses under the provisions of this Act, and the disposition of such license fees; providing for the collection and disposition of a percentage

of the gross receipts obtained as a result of wrestling matches and exhibitions; and providing for surety bond conditioned upon the payment of such percentage tax to the State of Montana." Referred to Committee on Fairs and Expositions.

House Bill No. 472, introduced by Boone: A Bill for an Act entitled: "An Act to amend Sub-section 5 of Section 4465 of the Revised Codes of the State of Montana of 1921, as amended by Chapter 100 of the Session Laws of the Twenty-second Legislative Assembly of 1931, relating to certain duties of the Board of County Commissioners." Referred to Committee on Townships and Counties.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following correctly enrolled: House Bills Nos. 175 and 177.

MONAHAN, Chairman.

Without objection, report adopted.

I have read House Bill No. 175 as reported from the Enrolling Committee and certify same to be correct.

BOONE,

I have read House Bill No. 177, as reported from the Enrolling Committee and certify same to be correct.

BERTSCHE.

The Speaker announced he was about to sign House Bill No. 175, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 177, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

MOTIONS AND RESOLUTIONS

It was moved by Mulholland, duly seconded and carried, that House Bill No. 458 be taken from the Committee on Labor and referred to the Committee on Revenue and Taxation.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following were introduced read first and second time and referred to committees:

House Bill No. 473, introduced by Logan and Harwood and Fowler: A Bill for an Act entitled: "An Act regulating the fixing of standard time in Montana; providing that the time in the State of Montana during the period from the last Sunday in April to the last Sunday in September of each year shall be changed from standard mountain time to daylight saving time by advancing the time during the aforementioned period one hour." Referred to Committee on Public Morals, Charities and Reforms.

House Bill No. 474, introduced by Burris: A Bill for an Act entitled: "An Act to prohibit the employment of aliens or non-citizens by contractors and subcontractors on all public works in the State of Montana, or to employ same in any of the departments or institutions of the State of Montana and providing for the forfeiture of the position of any alien or

non-citizen of the State of Montana when made known to the proper authorities, and providing penalties for violation of the provisions, thereof." Referred to Committee on Labor.

House Bill No. 475, introduced by Boone, Toomey and Smith: A Bill for an Act entitled: "An Act relating to motor vehicles, trailers, and semi-trailers, the ownership thereof and other interests therein; providing for the registration thereof upon payment of certain fees and the issuance of certificate of title therefor upon payment of certain fees; providing for assignment of number plates; providing for the licensing of persons in the business of dealing in motor vehicles and accessories; providing for the distribution of registration fees; providing for an auto theft fund and use thereof; providing for the filing of chattel mortgages and conditional sales contracts on motor vehicles; providing for the administration of this Act by motor vehicle department and registrar of motor vehicles; providing for the enforcement of motor vehicle laws and imposing penalties for violation of this Act and repealing Sections 1755 to 1763, inclusive, Revised Codes of Montana, 1921, and all Acts amendatory thereto; Section 1, Chapter 107, Session Laws of 1923; Section 1 to 21, inclusive, Chapter 113; and Section 1, Chapter 177, Session Laws of 1925; Section 1, Chapter 74; Sections 1 and 2, Chapter 88, and Section 1, Chapter 129, Session Laws of 1927; Sections 1 to 4, inclusive, Chapter 171; Sections 1 to 3, inclusive, Chapter 181; Section 1, Chapter 182, and Section 1, Chapter 183, Session Laws of 1929; Sections 1 to 5 inclusive, Chapter 158, Session Laws of 1931; Section 1, Chapter 103; Sections 1, 2 and sub-division "C" of Section 4, and Section 5, Chapter 158, and Sections 1 and 2, Chapter 159, Session Laws of 1933; and Section 1, Chapter 13, and Section 1, Chapter 38, of the Laws of the Extraordinary Session, 1933; and all Acts and parts of Acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 476, introduced by Metlen: A Bill for an Act entitled: "An Act to amend Sections 4, 6 and 8 of Chapter 104 of the Laws of the Twenty-first Legislative Assembly of the State of Montana, 1929, relative to an Act to regulate the occupation of hairdressers and cosmetologists, create a State Examining Board for the licensing of persons to carry on or teach such practices, to insure the better education of such practitioners, to provide rules, regulating the proper conduct and sanitation of hairdressing and cosmetologist establishments and schools and to provide for the removal of members of said board, and to provide penalties for violations thereof." Referred to Committee on Public Health and Sanitary Affairs.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 327, entitled: "An Act for compulsory state laboratory protein testing of all wheat delivered to public grain warehouses in the State of Montana, and to establish standard rules governing the testing of wheat for protein in marketing or handling by grain warehousemen, and fixing the fees for making such tests and providing penalties for violation of this Act." respectfully report as follows: That House Bill No. 327 be amended as follows: In Section 1, page 2, line 2, after the words "final settlement," strike out the period and insert a semi-colon therefor, and add the following: "Provided, however, upon written request of owner, no protein test need be made upon said owner's wheat," and that said bill, as amended do pass.

CHAPMAN, Chairman.

On motion of Chapman, report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 372, entitled: "An Act defining, licensing and regulating dealers engaged in buying, selling, warehousing or storing

beans; defining the words "commissioner," "warehouseman" or "person," "beans" and "storage" or "warehousing"; defining transactions in beans; providing for licenses and date of expiration, amount thereof and disposition of fees; and providing for appeal; providing for bonds and amount thereof and fixing conditions and providing for recovery thereunder; providing for inspection; establishing grades; providing for records and reports; prescribing powers and duties of the Commissioner of Agriculture; providing for penalties for violation of Act; and providing for repealing of Chapter 55 of the Session Laws of 1933 and all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 372 do pass.

CHAPMAN, Chairman.

On motion of Chapman, report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Joint Memorial No. 10, entitled: "A Memorial to the President and the Congress of the United States, relating to the administration of Federal farm loans by the Federal Land Bank located at Spokane, Washington, and other agencies in relation to loans upon farms within the State of Montana," respectfully report as follows: That House Joint Memorial No. 10 do pass.

CHAPMAN, Chairman.

On motion of Chapman, report adopted.

Mr. Speaker: We, your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 380, entitled: "An Act giving the Public Service Commission power and authority to require public utilities to carry on their operations with safety to the public to their customers and employees," respectfully report as follows: That House Bill No. 380 do pass.

ORMSBEE, Chairman.

On motion of Haight, report adopted.

Mr. Speaker: We, a minority of your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 379, entitled: "An Act to empower and authorize and to make it the duty of the Public Service Commission in the fixing of just and reasonable rates charged or to be charged by public utilities to investigate, inquire into and consider the reasonableness and justness of all contracts, agreements and charges entered into or paid by such public utilities with or to other corporations, associations, firms or persons," respectfully report as follows: That House Bill No. 379 do not pass.

TOOMEY.

Mr. Speaker: We, the majority of your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 379, entitled: "An Act to empower and authorize and to make it the duty of the Public Service Commission in the fixing of just and reasonable rates charged or to be charged by public utilities to investigate, inquire into and consider the reasonableness and justness of all contracts, agreements and charges entered into or paid by such public utilities with or to other corporations, associations, firms or persons," respectfully report as follows: That House Bill No. 379 do pass.

ORMSBEE, Chairman.

It was moved by Toomey, duly seconded, that the minority report be adopted.

On substitute motion, it was moved by Fowler, duly seconded, that the majority report be adopted.

A call of the House was demanded.

It was moved by Fowler, duly seconded and carried, that the call of the House be dispensed with.

A roll call was demanded by the required number. Whereupon the majority report was adopted by the following vote:

Ayes: Ahlgreen, Ballard, Brennan, Burris, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Egan, Emmett, Emmons, Foor, Fowler, Gordon, Green (Dawson), Haight, Hamilton, Haugan, Hedden, Holding, Hinerman, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Leavitt, Liggett, Lippard, Logan, Lott, Lovell, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mundy, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Valley), Quigley, Rolph, Ryan, Sexton, Sherman, Spiegel, Stevens, Stimatz, Whaley, White (Hill), York, Mr. Speaker. Total 67.

Noes: Anderson, Balgord, Bertsche, Boone, Doe, Ecton, Ewing, Gray, Groene (Fergus), Hall, Harlen, Heavlin, Joffray, Kelly, Lemmer, McCausland, Metlen, Nelson, Padbury, Peterson (Gallatin), Ritch, Scofield, Stromnes, Watson, White (Judith Basin), Worden. Total 26.

Absent and not voting: Acher, Busch, Goodwin, Harwood, Moss, Mulholland, Southmayd. Total 7.

The following passed their vote: Smith, Toomey. Total 2.

The Speaker: Sixty-seven have voted "aye," twenty-six have voted "no"; the motion is carried.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF THE SAME

The following were introduced, read first and second time and referred to committees; all appropriation measures having been read at length:

House Bill No. 477, introduced by Metlen: A Bill for an Act entitled: "An Act to amend Chapter 66 of the Laws of Montana of 1933 providing for the incorporation of grazing district associations to aid in the conservation, restoration, improvement and use of forage resources in the State of Montana, and to authorize such association to lease, purchase or otherwise acquire county or other lands for such purposes, and to provide for the management and use of such lands, and granting to the State Board of Equalization administrative powers over such association, including the power to annul their charters." Referred to Committee on Livestock and Public Ranges.

House Bill No. 478, introduced by Gray, Toomey, Metlen, Buttelman: A Bill for an Act entitled: "An Act to provide for the incorporation of grazing district associations to share in the conservation, restoration, improvement and the use of forage resources in the State of Montana; to authorize such associations to lease, purchase or otherwise acquire county or other lands for grazing purposes and to provide for the management and the use of such lands which will best conserve, restore, and improve the forage value thereof; providing for the approval of by-laws of such corporations, either heretofore existing or hereafter formed by the Montana Grazing Commission, making such Montana Grazing Commission the supervisory authority over cooperative grazing districts in Montana; providing for the fixing of fees for the administration of such districts and for the administration of grazing districts under such associations and said Montana Grazing Commission, and to amend Chapter 66, Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933." Referred to Committee on Livestock and Public Ranges.

House Bill No. 479, introduced by the Committee on Fish and Game: A Bill for an Act entitled: "An Act authorizing the Montana Fish and Game Commission to acquire water rights for purpose of maintaining sufficient flow in streams to protect fish life." Referred to Committee on Fish and Game.

House Bill No. 480, introduced by Stevens: A Bill for an Act entitled: "An Act to prohibit the sale or drinking of beer in any dance room, space or on any dance floor in the State of Montana." Referred to Committee on Public Morals, Charities and Reforms.

House Bill No. 481, introduced by Toomey: A Bill for an Act entitled: "An Act amending Sections 8883, 8885, 8886, 8887, 8889, 8890, 8893, 8894, and 8895 of the Revised Codes of Montana of 1921, defining juries and the qualifications of jurors; making women eligible for jury service; providing for certain exemptions from jury service; and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Equal Suffrage.

House Bill No. 482, introduced by Fowler: A Bill for an Act entitled: "An Act creating the Montana Power Commission, prescribing and defining its powers and duties and appropriating \$10,000 to said Power Commission." Referred to Committee on Appropriations.

House Bill No. 483, introduced by O'Brien: A Bill for an Act entitled: "An Act to amend Section 1760, of the Revised Codes of Montana, 1921, as amended by Section 1, of Chapter 103, of the Session Laws of the Twenty-third Legislative Assembly, 1933, as further amended by Section 1, of Chapter 38, of the Extraordinary Session Laws, of the Twenty-third Legislative Assembly, 1933, relating to registration fees of motor vehicles." Referred to Committee on Highways.

House Bill No. 484, introduced by Ahlgreen, by request: A Bill for an Act entitled: "An emergency Act making the Board of Railroad Commissioners ex-officio the Montana Sugar Commission to supervise and regulate the entire sugar beet industry; as defined in this Act, to make rules and regulations in investigations; jurisdiction of District Court to enforce obedience to process; the commission shall have power to fix reasonable prices to producers and reasonable profits for processing; providing penalties for violating provisions of this Act." Referred to Committee on Public Utilities and State Commissions.

House Bill No. 486, introduced by Harwood, by request: A Bill for an Act entitled: "An Act to empower any City or Town Council to own and operate spraying equipment and perform spraying services on privately owned fruit, shade and/or ornamental trees and/or vines, shrubbery and other vegetation and foliage, and to make charges and collect payments therefor." Referred to Committee on Horticulture.

House Bill No. 485, introduced by Harwood, by request: A Bill for an Act entitled: "An Act to empower any City or Town Council to own, construct, maintain and/or operate tourist camps and/or tourist cottages." Referred to Committee on Affairs of Cities.

House Bill No. 487, introduced by Harwood, by request: A Bill for an Act entitled: "An Act to amend Section 1, of Chapter 160, of the Session Laws of the Twenty-third Legislative Assembly, 1933, relating to the issuing of bonds by incorporated cities and towns and providing for refunding bonds, optional and redeemable." Referred to Committee on Affairs of Cities.

House Bill No. 488, introduced by Harwood, by request: A Bill for an Act entitled: "An Act to amend Section 5 of Chapter 100 of the Laws of the Twenty-first Legislative Assembly of the State of Montana, 1929, as

amended by Chapter 176 of the Session Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933, relative to the redemption of land from tax sale." Referred to Committee on Judiciary.

House Bill No. 489, introduced by the Appropriation Committee: A Bill for an Act entitled: "An Act to appropriate money for the operation maintenance and other purposes, as designated herein, for certain of the state's institutions, for the period beginning July 1, 1935, and ending June 30, 1937." Referred to Committee on Appropriations.

House Bill No. 490, introduced by the Appropriation Committee: A Bill for an Act entitled: "An Act to appropriate money for the operation and maintenance of the six units of the University of Montana, for the agricultural experiment stations and the sub-stations, for farmers' extension work, for the bureau of mines, for the students' railroad fare refund, for the period beginning July 1, 1935 and ending June 30, 1937." Referred to Committee on Appropriations.

House Bill No. 491, introduced by the Appropriation Committee: A Bill for an Act entitled: "An Act to appropriate money for the operation, maintenance and other purposes as designated herein, for certain state departments and offices for the period beginning July 1, 1935 and ending June 30, 1937." Referred to Committee on Appropriations.

It was moved by Byrne, duly seconded and carried, that the House recess until 8:30 o'clock P. M.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bills Nos. 144 and 76.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following, considered correctly engrossed: House Bill No. 264.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing, beg leave to report the following correctly printed: House Bill No. 183 and Substitute House Bill No. 79.

McCAUSLAND, Chairman.

Without objection, report adopted.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF THE SAME

The following were introduced, read first and second time and referred to committees; all appropriation measures having been read at length:

House Bill No. 492, introduced by Stromnes: A Bill for an Act entitled: "An Act to amend Section 6118, of the Revised Codes of Montana, 1921, as amended by Chapter 48 of the Twenty-third Legislative Assembly of the State of Montana, relating to the obtaining of licenses to transact insurance business—All agents providing for filing of applications for license and qualifications of applicant; the filing of statement of com-

pany at the time of termination of employment of an agent; providing for the filing of copies of all policies written by the agent providing for the suspension or revocation of licenses and providing for right of appeal from ruling of Insurance Commissioner." Referred to Committee on Insurance.

House Bill No. 493, introduced by Stromnes: A Bill for an Act entitled: "An Act authorizing a court or judge to reduce the penalty of a bond previously given by an executor or administrator and providing for the filing of a new bond." Referred to Committee on Judiciary.

House Bill No. 494, introduced by Boone: A Bill for an Act entitled: "An Act abolishing capital punishment and providing in lieu thereof, life imprisonment, and repealing all Acts in conflict herewith." Referred to Committee on Public Morals, Charities and Reforms.

House Bill No. 495, introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act providing for the classification and basis upon which taxes shall be imposed upon all irrigated land, non-irrigated farm land, all grazing land, all city and town lots together with the improvements thereon (except improvements used for business or industrial purposes)." Referred to Committee on Revenue and Taxation.

House Bill No. 496, introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act requiring every person, firm, co-partnership, association, joint stock company, syndicate and corporation engaging in or carrying on the business of producing natural gas within this state, or engaged in or carrying on the business of owning, controlling, managing, leasing or operating within this state, any system or plant for the production of natural gas within this state, shall pay to the State Treasurer for engaging in or carrying on such business, certain license fees for the exclusive use and benefit of the State of Montana; fixing the amount of such license fees; prescribing a method for the assessment and collection thereof; and prescribing penalties for violations of this Act." Referred to Committee on Revenue and Taxation.

House Bill No. 497, introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to provide for the collection of per capita poor taxes and road taxes which are authorized by law and authorizing the seizure and sale of personal property to secure the payment of such taxes." Referred to Committee on Revenue and Taxation.

House Bill No. 498, introduced by Whaley and Toomey: A Bill for an Act entitled: "An Act to amend Sub-division 2 of Section 7073, Revised Codes, Montana, 1921, relating to succession and distribution of property in intestate succession." Referred to Committee on Judiciary.

House Bill No. 499, introduced by Leavitt, by request: A Bill for an Act entitled: "An Act requiring the County Surveyor or any county having a total registered vote of 5,475 or over at the last general election to survey all public highways within such county, not heretofore surveyed, and to prepare suitable plat books." Referred to Committee on Townships and Counties.

House Bill No. 500, introduced by Burris: A Bill for an Act entitled: "An Act to impose a tax of Two (2) Cents upon checks, drafts and orders for the payment of money, and providing for the collection and disposal of such tax." Referred to Committee on Revenue and Taxation.

House Bill No. 501, introduced by Stimatz: A Bill for an Act entitled: "An Act to amend Section 678, Revised Codes of Montana, 1921, relative to election ballots." Referred to Committee on Privileges and Elections.

House Joint Resolution No. 8, introduced by Joffray, Toomey, Smith: "A Resolution requesting Congress to appropriate One Hundred Thousand Dollars for the repair and up-keep of the School for the Deaf, Blind and Feeble Minded at Boulder." Referred to Committee on State Institutions, Public Buildings and Grounds.

House Bill No. 502, introduced by Harlen: A Bill for an Act entitled: "An Act to amend Section 4, of Chapter 106, Session Laws of the Twenty-third Legislative Assembly, 1933, relating to the Montana Beer Act and providing for the per cent of alcohol by weight." Referred to Committee on Public Morals, Charities and Reforms.

House Bill No. 503, introduced by Ormsbee: A Bill for an Act entitled: "An Act empowering the Public Service Commission to require public utilities to carry a proper depreciation account and authorizing the commission to fix the rates of depreciation on the several classes of property of public utilities." Referred to Committee on Public Utilities and State Commissions.

House Bill No. 504, introduced by Haight: A Bill for an Act entitled: "An Act to amend Section 45, of Chapter 106, of the Session Laws of the Twenty-third Legislative Assembly, 1933, as further amended by Chapter 46 of the Extraordinary Session Laws of the Twenty-third Legislative Assembly, 1933, relating to the Beer Act and placing limitations on a beer license." Referred to Committee on Revenue and Taxation.

House Bill No. 505, introduced by O'Brien: A Bill for an Act entitled: "An Act providing that all book binding, book repairing and magazine binding ordered by the State of Montana or any subdivision thereof must if possible be done within the State of Montana." Referred to Committee on Development, and Publicity.

House Bill No. 506, introduced by Liggett: A Bill for an Act entitled: "An Act to permit counties which are indebted beyond the limit provided by Section 5 of Article XIII of the constitution to operate on a cash basis." Referred to Committee on Judiciary.

House Bill No. 507, introduced by Ahlgreen, Sexton, Hamilton, Smith and Masterson: A Bill for an Act entitled: "An Act to establish a state hospital, to be known as the 'Montana State Infantile Paralysis Sanitarium', in some suitable location in the State of Montana, for the treatment of infantile paralysis, prescribing rules and regulations for the same, and making appropriations therefor." Referred to Committee on State Institutions, Public Buildings and Grounds, with instructions to turn same over to Committee on Appropriations when same has been acted upon.

House Bill No. 508, introduced by Ahlgreen, Sexton, Hamilton, Smith and Masterson: A Bill for an Act entitled: "An Act to authorize the construction of a building or buildings for the Montana State Infantile Paralysis Sanitarium; to provide for the issuance of revenue bonds for the payment thereof; to provide that such bonds shall not constitute or be a debt, liability or obligation of the state but shall be secured only by the rents or income of the buildings; to provide for the registration of such bonds; to provide for trust indenture and trustee for said bonds; to provide for the creation of a sinking fund and to define its purposes; to empower the State Board of Examiners to enter into all contracts and agreements necessary or incidental to the execution of its powers under this Act; to provide remedies of bondholders; and declaring an emergency." Referred to Committee on State Institutions, Public Buildings and Grounds.

House Bill No. 509, introduced by Ecton: A Bill for an Act entitled: "An Act to amend Section 2 of Chapter 47 of the Laws of the Extraordinary Session of the Twenty-third Legislative Assembly of the State of

Montana, 1933, relative to attaching common school districts to high school districts." Referred to Committee on Education.

House Bill No. 510, introduced by Ormsbee: A Bill for an Act entitled: "An Act authorizing the Public Service Commission to order the income of a public utility in excess of a reasonable rate of return to be placed in a reserve fund to be applied as earnings of the public utility in subsequent years in which it does not earn a reasonable rate or return." Referred to Committee on Public Utilities and State Commissions.

House Bill No. 511, introduced by Committee on Ways and Means: A Bill for an Act entitled: "An Act to provide for the support of the Government of Montana for the years 1935 and 1936." Referred to Committee on Ways and Means.

House Bill No. 512, introduced by Mulholland, O'Byrne: A Bill for an Act entitled: "An Act to amend Section 5080, Revised Codes of Montana 1921, relating to notice of claim to a city or town for injury alleged to have been suffered by any person by reason of any defect in any bridge, street, road, sidewalk, culvert, park, public ground, ferry-boat, or public works of any kind in said city or town, and providing that at the trial of any action arising out of said alleged injury, the plaintiff shall be required to prove that said city or town had actual notice of said defect at least twenty-four hours before the occurrence of said alleged injury." Referred to Committee on Affairs of Cities.

House Bill No. 513, introduced by Ormsbee: A Bill for an Act entitled: "An Act giving the Public Service Commission supervision over the payment of dividends on common stock issued by public utilities." Referred to Committee on Public Utilities and State Commissions.

House Bill No. 514, introduced by Goodwin: A Bill for an Act entitled: "An Act to repeal Sections 715, 716, 718, to 720 inclusive, 722 to 735, inclusive, Revised Codes of Montana, 1921, and Sections 717 and 721, Revised Codes of Montana 1921, as amended by Chapter 151 Acts of Eighteenth Legislative Assembly all relating to voting by absent electors." Referred to Committee on Privileges and Elections.

House Bill No. 515, introduced by Mulholland: A Bill for an Act entitled: "An Act to appropriate money from the general fund of the state to compensate J. G. Link, for services rendered by it to the State of Montana as architect of the dining hall and guards quarters building of the State Prison at Deer Lodge, Montana, and to reimburse him for the cost of a visit made by him to San Quentin and Folsom Prisons in California at the instance of the State Board of Examiners." Referred to Committee on Appropriations.

THIRD READING OF HOUSE BILLS

The following, having been read, three several times, history and title agreed to, were disposed of as follows:

House Bill No. 264, introduced by Doe and Toomey, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Buttelman, Byrne, Chamberlain, Chapman, Conner, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harlen, Haugan, Heavlin, Hedden, Holding, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne,

O'Connor, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Toomey, Watson, White (Judith Basin), Worden, York, Mr. Speaker: Total 84.

Noes: Stimatz, White (Hill). Total 2.

Absent and not voting: Acher, Burris, Busch, Connors, Groene (Fergus), Harwood, Hinerman, Leary, Leavitt, McCausland, Metlen, Moss, Parker, Ritch, Stromnes, Whaley. Total 16.

The Speaker: Eight-four have voted "aye," two have voted "no"; House Bill No. 264 has passed the House.

House Bill No. 144, introduced by Cusick, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Gray, Green (Dawson), Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Lemmer, Liggett, Logan, Lott, Lovell, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Monahan, Mulholland, Neary, Nelson, O'Brien, O'Byrne, O'Connor, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, Worden, York, Mr. Speaker. Total 75.

Noes: Goodwin, Groene (Fergus), Haight, Hall, Lippard, Mundy, Nutting, Scofield, Smith, White (Judith Basin), White (Hill). Total 11.

Absent and not voting: Acher, Busch, Byrne, Doe, Gordon, Hamilton, Hinerman, Leary, Leavitt, McCausland, Metlen, Mitchell, Moss, Ormsbee, Parker, Ritch. Total 16.

The Speaker: Seventy-five have voted "aye," eleven have voted "no"; House Bill No. 144 has passed the House.

House Bill No. 76, introduced by Stevens, Southmayd, Lemmer, was passed by the following vote:

Ayes: Anderson, Balgord, Ballard, Bertsche, Brennan, Burris, Buttelman, Chamberlain, Chapman, Conner, Connors, Egan, Emmett, Foor, Fowler, Goodwin, Groene (Fergus), Haight, Hall, Harlen, Harwood, Hedden, Holding, Kruse, Kuhl, Lemmer, Logan, Lott, Manning, Miller (Roosevelt), Mitchell, Mulholland, Neary, O'Brien, O'Byrne, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ryan, Scofield, Sherman, Smith, Southmayd, Spiegel, Stevens, Stromnes, Toomey, Whaley, Mr. Speaker. Total 52.

Noes: Ahlgreen, Boone, Byrne, Coultas, Cusick, Doe, Ecton, Emmons, Ewing, Gordon, Gray, Green (Dawson), Hamilton, Haugan, Heavlin, Joffray, Johnson, Kathan, Kelly, Lasby, Lippard, Lovell, McLaughlin, Masterson, Miller (Big Horn), Minette, Mundy, Nelson, Nutting, O'Connor, Rolph, Sexton, Stimatz, Watson, White (Judith Basin), White (Hill), Worden. Total 37.

Absent and not voting: Acher, Busch, Hinerman, Leary, Leavitt, McCausland, Metlen, Moss, Parker, Ritch, York. Total 11.

The following passed their vote: Liggett, Monahan. Total 2.

The Speaker: Fifty-two have voted "aye," thirty-seven have voted "no"; House Bill No. 76 has passed the House.

THIRD READING OF SENATE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 6, introduced by Committee on Banks and Banking, was concurred in by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Bertsche, Boone, Brennan, Burris, Buttelman, Byrne, Chamberlain, Chapman, Conner, Coultas, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, Manning, Master-son, Miller (Roosevelt), Miller (Big Horn), Minette, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stromnes, Whaley, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 82.

Noes: Hall, Stimatz, Toomey, Watson, Worden. Total 5.

Absent and not voting: Acher, Ballard, Busch, Connors, Doe, Goodwin, Hinerman, Leary, Leavitt, McCausland, McLaughlin, Metlen, Mitchell, Moss, Ritch. Total 15.

The Speaker: Eighty-two have voted "aye," five have voted "no"; Senate Bill No. 6 has been concurred in by the House.

Senate Bill No. 36, introduced by Committee on Banks and Banking, was concurred in by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Holding, Joffray, Johnson, Kelly, Kruse, Kuhl, Lasby, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McLaughlin, Manning, Master-son, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 86.

Noes: Kathan, Mundy, Stimatz. Total 3.

Absent and not voting: Acher, Busch, Groene (Fergus), Hedden, Hinerman, Leary, Leavitt, McCausland, Metlen, Moss, Parker Ritch. Total 12.

The following passed their vote: Nelson.

The Speaker: Eighty-six have voted "aye," three have voted "no"; Senate Bill No. 36, has been concurred in by the House.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that House Bill No. 286 be taken from the Committee on State Lands and re-referred to the Committee on Petroleum, Oil and Gas.

It was moved by Byrne, duly seconded and carried, that the Committee on Printing be instructed that all appropriation bills be given preference.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF THE SAME

The following, were introduced, read first and second time and referred to committees; all appropriation measures having been read at length:

House Bill No. 516, introduced by Southmayd: A Bill for an Act entitled: "An Act relative to the collection of money due on notes, chattel mortgages, and other personal loans; making it a misdemeanor to collect or attempt to collect more than the full amount shown on the face of such instruments plus the legal rate of interest and/or to charge any premium or bonus for the loaning of money, and defining penalties." Referred to Committee on Judiciary.

House Bill No. 517, introduced by Committee on Water Conservation and Flood Control: A Bill for an Act entitled: "An Act establishing a water conservation revolving fund to be designated the 'conservation revolving fund' providing for the collection and payment of moneys into said fund and disbursements therefrom: Making appropriations therefor; making appropriations of funds for the conservation 'administration fund' and the 'conservation revolving fund' out of the net proceeds to the credit of the Montana liquor control board fund; and repealing all Acts and parts of Acts in conflict herewith and declaring an emergency." Referred to Committee on Appropriations.

House Bill No. 518, introduced by Lovell: A Bill for an Act entitled: "An Act to provide for the sale of spirituous and vinous liquors at wholesale by the State of Montana; creating the Montana Liquor Control Board, and providing for the operation thereof; providing for the retail sale of such liquors by drug stores and providing for the distribution of moneys collected hereunder for schools, emergency relief, old age pensions and other purposes and validating any action of the Montana State Liquor Control Board prior to the passage of this Act." Referred to Committee on Public Morals, Charities and Reforms.

House Bill No. 519, introduced by Fowler, by request: A Bill for an Act entitled: "An Act providing for a license tax on collection agencies, and providing a penalty for the failure to pay said tax." Referred to Committee on Revenue and Taxation.

House Bill No. 520, introduced by Lasby: A Bill for an Act entitled: "An Act to impose a license fee on certain places of business engaged in the sale and distribution of petroleum and petroleum products." Referred to Committee on Revenue and Taxation.

House Bill No. 521, introduced by Stromnes: A Bill for an Act entitled: "An Act to amend Sections 3779, 3782 and 3783 of the Revised Codes of the State of Montana of 1921 and repealing Sections 3780, 3784, 3786, 3788 and 3790 of the Revised Codes of the State of Montana of 1921, and Section 3787 of the Revised Codes of Montana of 1921 as amended by Chapter 90 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana of 1927, abolishing the Board of Railroad Commissioners of the State of Montana and providing that the duties of said board shall be performed by the State Board of Equalization of the State of Montana." Referred to Committee on Judiciary.

House Bill No. 522, introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Section Ten (10) of Chapter One Hundred Eighty One (181) of the Acts of the Twenty-third Legislative Assembly of Montana of 1933, relating to exemptions from the payment of income tax." Referred to Committee on Revenue and Taxation.

House Bill No. 523, introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Sections 2 and 28, of Chapter One Hundred Eighty One, (181), of the Laws of Montana, 1933, as amended by Sections 1 and 2, of Chapter Forty (40), of the Laws of Montana of the Extraordinary Session of 1933-34, regulating the rate of personal income tax to be paid, and the distribution of said tax." Referred to Committee on Revenue and Taxation.

House Bill No. 524, introduced by Fowler: A Bill for an Act entitled: "An Act to prohibit railroads or public utilities from issuing passes to legislators and prohibiting legislators from receiving passes and providing a penalty for violation of this Act." Referred to Committee on Public Utilities and State Commissions.

House Bill No. 525, introduced by Harwood, by request: A Bill for an Act entitled: "An Act to amend Sections 8620, 8621, 8624, 8626, 8628, 8629, 8630, 8631, 8632, 8633, 8635, 8637, and 8640 of the Revised Codes of Montana of 1921, relating to assignments for the benefit of creditors and repealing Sections 8615, 8616, 8617, 8618, 8619, 8625 and 8627 and all Acts and parts of Acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 526, introduced by Leavitt: A Bill for an Act entitled: "An Act providing for the validity of sale of real property in probate proceedings." Referred to Committee on Judiciary.

House Bill No. 527, introduced by Stevens: A Bill for an Act entitled: "An Act relating to the licensing of loan associations and defining penalties." Referred to Committee on Revenue and Taxation.

House Bill No. 528, introduced by Fowler: A Bill for an Act entitled: "An Act prohibiting utilities and railroads from carrying attorneys on payrolls or issuing them passes while they are state, city, county, or municipal officers; and making it unlawful for attorneys to take retainers from public utilities or railroads while holding public office and providing penalties therefor." Referred to Committee on State Boards and Officers.

House Bill No. 529, introduced by Ormsbee: A Bill for an Act entitled: "An Act to amend Section 2 of Chapter 181 of the Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933, as amended by Section 1 of Chapter 40 of the Laws of the Extraordinary Session of the Twenty-third Legislative Assembly, State of Montana, and to amend Section 10 of Chapter 181 of the Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933, relative to income tax rates and exemptions." Referred to Committee on Revenue and Taxation.

House Bill No. 530, introduced by Ormsbee: A Bill for an Act entitled: "An Act providing a means for the purchase, construction, improvement, enlargement, extension and repair by any county, city or incorporated town of a waterworks system, sewer system, sanitary disposal equipment and appliances, ice plant, gas or electric plants and/or distribution systems, hospitals, toll bridges, slaughter houses, and any public project or service which may lawfully be owned and operated or managed by such counties, cities or towns, including any public work or improvement named in the National Industrial Recovery Act as an object upon which the moneys appropriated under such Act may be expended or loaned; also to provide for the issuance by revenue bonds to cover the cost thereof and to provide a means of payment therefor from the net revenues of such projects or services; providing a means of segregating the revenue from existing projects or services and any additions, extensions, betterments or repairs thereto; providing a means for requiring bond elections to be held in connection therewith; providing conditions and regulations with respect to the purchase, construction and operation of such projects or services and the manner of issuance, terms and conditions of such bonds; and affording a means of obtaining assistance from the Federal Emergency Administration of Public Works in the carrying out of such projects." Referred to Committee on Ways and Means.

House Bill No. 531, introduced by Committee on Public Utilities and State Commissions: A Bill for an Act entitled: "An Act changing the official name of the Board of Railroad Commissioners of the State of

Montana, ex-officio Public Service Commission of Montana, ex-officio Montana, Trade Commissions, ex-officio Montana, Irrigation Commission to 'Public Service Commission of Montana,' and revises the Laws to provide that such latter name shall be substituted for such former names in all Sections of the Laws of the State of Montana." Referred to Committee on Public Utilities and State Commissions.

House Joint Resolution No. 7, introduced by Peterson, Hinerman, York, P. C. Peterson and Chapman: "A Joint Resolution requesting Honorable Harold L. Ikes, Public Works Administrator, to allot funds for the construction of a highway leading from the Town of Opheim in Valley County, Montana, to Glasgow, Montana." Referred to Committee on Federal Relations.

MOTIONS AND RESOLUTIONS

It was moved by Fowler, duly seconded, that House Bill No. 521 be taken from the Committee on Judiciary and referred to State Boards and Officers.

As a substitute motion, it was moved by Stromnes, duly seconded, that House Bill No. 521 be taken from the Committee on Judiciary and printed and placed on General Orders.

As a substitute motion, for all motions pending, it was moved by Byrne, duly seconded and carried, that action on House Bill No. 521 be passed for the day.

It was moved by Byrne, duly seconded and carried, that the House adjourn until 9:00 o'clock A. M., Saturday, February 16th, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FORTY-FIRST DAY

House of Representatives,
Helena, Montana, February 16, 1935.

House convened, pursuant to adjournment, at 9:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by Chaplain.

A quorum was present. Acher of Blaine, was excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the fortieth legislative day, find the same to be correct.

EWING, Vice-Chairman.

Without objection, report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Insurance, having had under consideration Substitute Senate Bill No. 22, entitled: "An Act to provide for state insurance of public buildings and contents; to provide for the valuation thereof; to provide for the duties of public officers in connection therewith; to provide for the levying of assessment premiums, for the investment and distribution of the insurance fund, and for the payment of losses; to prevent any other manner of insuring public property; and to provide penalties for the violation of this Act," respectfully report as follows: That Substitute Senate Bill No. 22 be concurred in.

O'BYRNE, Chairman.

On motion of O'Byrne, report adopted.

Mr. Speaker: We, the majority of your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 381, entitled: "An Act placing the burden of proof in all trials and proceedings before the Board of Railroad Commissioners or the Public Service Commission upon the railroad or utility," respectfully report as follows: That House Bill No. 381 do pass.

ORMSBEE, Chairman.

Mr. Speaker: We, a minority of your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 381, entitled: "An Act placing the burden of proof in all trials and proceedings before the Board of Railroad Commissioners or the Public Service Commission upon the railroad or utility," respectfully report as follows: That House Bill No. 381 do not pass.

TOOMEY,
EMMETT.

On motion of Ormsbee, majority report adopted.

Mr. Speaker: We, the majority of your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 382, entitled: "An Act to amend Section 3783 and Section 3802, Revised Codes of 1921, relating to appointments to be made by the Board of Railroad Commissioners," respectfully report as follows: That House Bill No. 382 do pass and that the Chief Clerk be instructed to underline all new material in amended sections.

ORMSBEE, Chairman.

Mr. Speaker: We, a minority of your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 382, entitled: "An Act to amend Section 3783 and Section 3802, Revised Codes of 1921, relating to appointments to be made by the Board of Railroad Commissioners," respectfully report as follows: That House Bill No. 382 do not pass.

TOOMEY.

On motion of Ormsbee, majority report adopted.

Mr. Speaker: We, the majority of your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 388, entitled: "An Act to amend Section 3798, Revised Codes of 1921, relating to the powers and duties of the Board of Railroad Commissioners in the case of accidents occurring in the operation of any railroad in this state and empowering this board to adopt safety devices at railroad crossings," respectfully report as follows: That House Bill No. 388, do pass.

ORMSBEE, Chairman.

Mr. Speaker: We, a minority of your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 388, entitled: "An Act to amend Section 3798, Revised Codes of 1921, relating to the powers and duties of the Board of Railroad Commissioners in the case of accidents occurring in the operation of any railroad in this state and empowering this board to adopt safety devices at railroad crossings," respectfully report as follows: That House Bill No. 388 do not pass.

TOOMEY.

On motion of Ormsbee, majority report adopted.

Mr. Speaker: We, the majority of your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 391, entitled: "An Act to amend Section 3881 of Chapter 260 of the

Revised Codes of the State of Montana, 1921, defining a public utility and providing for, and including, pipe lines for the transportation of natural gas within the jurisdiction and control of the Public Service Commission," respectfully report as follows: That House Bill No. 391 be amended as follows: In line 21, after the word "natural" insert "or artificial." In line 4, of the title, after the word "natural" insert "or artificial." In line 24, after the word "natural" insert "or artificial," and as amended. do pass.

ORMSBEE, Chairman.

Mr. Speaker: We, a minority of your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 391, entitled: "An Act to amend Section 3881 of Chapter 260 of the Revised Codes of the State of Montana, 1921, defining a public utility and providing for, and including, pipe lines for the transportation of natural gas within the jurisdiction and control of the Public Service Commission," respectfully report as follows: That House Bill No. 391 do not pass.

TOOMEY.

On motion of Ormsbee, majority report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Spiegel, duly seconded and carried, that action on Substitute House Bill No. 42 be passed for the day.

It was moved by Byrne, duly seconded and carried, that action on House Bill No. 147 be passed for the day.

It was moved by Ahlgreen, duly seconded and carried, that the House reconsider its action on House Bill No. 243.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

House Bill No. 238, introduced by Cusick, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Hall, Hamilton, Haugan, Heavlin, Hedden, Hinerman, Johnson, Kathan, Kelly, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lott, Lovell, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, OByrne, O'Connor, Padbury, Parker, Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Toomey, Watson, Whaley, White (Hill), Worden, Mr. Speaker. Total 82.

Noes: Stimatz, York. Total 2.

Absent and not voting: Acher, Emmett, Haight, Harlen, Harwood, Holding, Joffray, Kruse, Lippard, Logan, McCausland, McLaughlin, Metlen, Ormsbee, Ritch, Stromnes, White (Judith Basin). Total 17.

The following passed their vote: Petersen (Sheridan).

The Speaker: Eighty-two have voted "aye," two have voted "no"; House Bill No. 238 has passed the House.

House Bill No. 191, introduced by Lott, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Busch, Buttelman, Byrne, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Hall, Hamilton, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kelly, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Padbury, Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Toomey, Watson, White (Hill), Worden, Mr. Speaker. Total 78.

Noes: Chamberlain, Emmons, Kathan, Parker, Stimatz. Total 5.

Absent and not voting: Acher, Chapman, Haight, Harlen, Harwood, Joffray, Kruse, Logan, McCausland, Metlen, Ormsbee, Ritch, Stromnes, Whaley, White (Judith Basin). Total 15.

The following passed their vote: Burris, Petersen (Sheridan), Ryan, York. Total 4.

The Speaker: Seventy-eight have voted "aye," five have voted "no"; House Bill No. 191 has passed the House.

House Bill No. 277, introduced by Gray, et al., was passed by the following vote:

Ayes: Ahlgreen, Anderson, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Hamilton, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Leary, Leavitt, Lemmer, Liggett, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Neary, O'Brien, O'Byrne, Padbury, Parker, Peterson (Gallatin), Quigley, Rolph, Ryan, Sherman, Spiegel, Stevens, Stromnes, Toomey, Whaley, White (Hill), Mr. Speaker. Total 69.

Noes: Balgord, Groene (Fergus), Hall, Kelly, Kuhl, Lasby, Mundy, Nutting, O'Connor, Petersen (Sheridan), Ritch, Scofield, Southmayd, Stimatz, Watson, Worden, York. Total 17.

Absent and not voting: Acher, Chapman, Haight, Harlen, Harwood, Kruse, Lippard, Logan, Metlen, Ormsbee, Peterson (Valley), Sexton, Smith, White (Judith Basin). Total 14.

The following passed their vote: Conner, Nelson. Total 2.

The Speaker: Sixty-nine have voted "aye," seventeen have voted "no"; House Bill No. 277 has passed the House.

House Bill No. 124, introduced by Miller, Scofield, Metlen, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Hall, Hamilton, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lott, Lovell, McCausland, McLaughlin, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Nelson, Nutting, O'Brien, O'Connor, Padbury, Peterson (Gallatin), Quigley, Scofield, Sherman, Smith, Southmayd, Stevens, Stromnes, Toomey, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 77.

Noes: Burris, Emmons, Neary, O'Byrne, Petersen (Sheridan), Rolph, Ryan, Spiegel, Stimatz. Total 9.

Absent and not voting: Acher, Connors, Haight, Harlen, Harwood, Kruse, Lippard, Logan, Metlen, Ormsbee, Parker, Peterson (Valley), Ritch, Sexton, White (Judith Basin). Total 15.

The following passed his vote: Manning.

The Speaker: Seventy-seven have voted "aye," nine have voted "no"; House Bill No. 124 has passed the House.

MOTIONS AND RESOLUTIONS

It was moved by Conner, duly seconded and carried, that House Bill No. 374 be taken from the Committee on Printing and re-referred to the Committee on Apportionment and Representation.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under rules of the previous setting.

CONSIDERATION OF GENERAL ORDERS

Leavitt of Custer in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 276, 258, 181, 71, 296, 151, 291, 229, 231, 262, recommend the following:

All amendments referring to the printed bill unless otherwise specified.

That House Bill No. 276 be passed for the day.

That the enacting clause be stricken in House Bill No. 258.

That House Bill No. 181 be amended as follows: Amend the title in line 3, by striking the words "and second"; amend Section 1, by striking the words "and second" in line 2 and in line 6 and 7; by striking the words "and second" in line 2 of Section 2 and as amended do pass.

That the enacting clause be stricken in House Bill No. 71.

That House Bill No. 296 be passed for the day.

That House Bill No. 151 do pass.

That House Bill No. 291 do pass.

That House Bill No. 229 and 231 be passed for the day.

That House Bill No. 262 do pass.

LEAVITT, Chairman.

On motion of Leavitt, report adopted.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

The House met in Joint Informal Session with the Senate after recess, to welcome Major Ralph Royce, U. S. Army Service, and his winter test flight pilots. Representative John Ritch of Fergus County was Chairman of the Informal Session and introduced the Major and his pilots and also explained the Charles Russell paintings in the House of Representatives, for the benefit of the visitors.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 433, entitled: "An Act relative to the duties of Public Administrator upon the expiration of term of office, providing

for settlement of accounts, succession to the office and administrations in estates, requiring such retiring administrator to surrender administration of estates to his successor, and providing penalties for violation of this Act," respectfully report as follows: That House Bill No. 433 do pass.

On motion of Boone, report adopted.

BOONE, Chairman.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Substitute House Bill No. 36, entitled: "An Act to provide for a farm laborers lien and to provide for the filing and foreclosure of said liens," respectfully report as follows: That Substitute House Bill No. 36 do not pass, but that Substitute for Substitute House Bill No. 36, do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 338, entitled: "An Act to amend Section 10040 of the Revised Codes of Montana, 1921, relating to the proceedings on the production of a foreign will; providing for the hearing of the petition for the probate thereof without notice; and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 338 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 341, entitled: "An Act to amend Section 10025 of the Revised Codes of Montana, 1921, relating to the notice of hearing of petition for probate of will; providing the notice to be given: the manner of giving such notice; the length of the time such notice shall be given; and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 341 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 336, entitled: "An Act to amend Section 10170 of the Revised Codes of Montana, 1921, relating to the giving of notice to creditors in estates of deceased persons, providing when such notice need not be given, providing for the manner of giving such notice; and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 336 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 353, entitled: "An Act relating to the codification and general revision of the Laws of Montana, repealing Sections 222, 653, 736 through 756 inclusive, 1033, 1570 through 1575 inclusive, 1583 through 1602 inclusive, 2097 through 2110 inclusive, 2162, 2221, 2273 through 2295 inclusive, 2384 as amended by Chapter 186 of the Laws of 1925, 2385, 2386, 2387, 2388, 2389, as amended by Chapter 186 of the Laws of 1925, 2390, 2391, 2392 as amended by Initiative Measure Number 31, Laws of 1927, 2418, 2437, 2774, 3549, 5215, 5357 through 5365 inclusive, and 9982 through 9989 inclusive, of the Revised Codes of Montana of 1921," respectfully report as follows: That House Bill No. 353 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 33, entitled: "An Act to amend Section 2899, Revised Codes of Montana 1921, relating to the time for filing claims in case of personal injury to or death of employees," respectfully report as follows: That House Bill No. 33 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 165, entitled: "An Act to amend Section 11906 of the Revised Codes of the State of Montana of 1921, relating to objections forming grounds of demurrer and when such objections may be taken," respectfully report as follows: That House Bill No. 165 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 405, entitled: "An Act to amend Section 10307 of the Revised Codes of Montana of 1921, as amended by Chapter 141 of the Session Laws of Montana, Twenty-third Legislative Session, 1933, relating to the order in which debts are to be paid against estates of deceased persons," respectfully report as follows: That House Bill No. 405 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 498, entitled: "An Act to amend Sub-division 2 of Section 7073 Revised Codes of Montana, 1921 relating to secession and distribution of property in interstate succession," respectfully report as follows: That House Bill No. 498 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Economy, having had under consideration House Bill No. 188, entitled: "An Act empowering County Commissioners to advertise for and receive sealed proposals for burial or cremation of the deceased indigents of the county and let contracts pursuant thereto to the lowest responsible bidder," respectfully report as follows: That House Bill No. 188 be amended as follows: By striking out the words "or cremation." And, as amended do pass.

RYAN, Chairman.

On motion of Ryan, report adopted.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 468, entitled: "An Act requiring that all manufactured or processed food stuff, which is sold in packages or sacks, have printed on said package or sack, the name of the manufacturer; making the violation of this Act a misdemeanor, and providing penalties," respectfully report as follows: That House Bill No. 468 do pass.

YORK, Chairman.

On motion of York, report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Joint Memorial No. 11, entitled: "A Memorial memorializing the President and Congress of these United States to enact proper legislation reducing the hours in any one day in which persons may be

employed for hire to be not more than six (6) hours," respectfully report as follows: That House Joint Memorial No. 11 do pass.

MUHOLLAND, Chairman.

On motion of Mulholland, report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 474, entitled: "An Act to prohibit the employment of aliens or non-citizens, by contractors and sub-contractors on all public works in the State of Montana, or to employ same in any of the departments or institutions of the State of Montana and providing for the forfeiture of the position of any alien or non-citizen of the State of Montana when made known to the proper authorities, and providing penalties for violation of the provisions, thereof," respectfully report as follows: That House Bill No. 474 do pass.

MUHOLLAND, Chairman.

On motion of Mulholland, report adopted.

Mr. Speaker: We, your Committee on Mines and Mining, having had under consideration Senate Joint Memorial No. 1, entitled: "A Resolution memorializing the Congress of the United States, endorsing the passage and approval of the bill introduced by the Honorable Burton K. Wheeler, United States Senator from Montana, fixing the free and unlimited coinage of silver on a basis of sixteen ounces of silver to one ounce of gold," respectfully report as follows: That Senate Joint Memorial No. 1 be concurred in.

MITCHELL, Chairman.

On motion of Mitchell, report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 423, entitled: "An Act providing for a feed lien on livestock in favor of licensed merchants furnishing hay and feed stuffs for such livestock," respectfully report as follows: That House Bill No. 423 do not pass.

SHERMAN, Chairman.

On motion of Sherman, report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 397, entitled: "An Act to create the Montana Grazing Commission, providing the membership thereof and for the appointment of a State Grazing Administrator; defining the powers and prescribing the duties of said commission, granting said commission authority to levy and assess grazing associations organized under the Laws of the State of Montana, to defray the expenses of the said commission within the limits of this Act; providing for the administration of this Act, the powers and duties of said State Grazing Administrator, prescribing an annual report; providing for cooperation with the United States and the Director of Grazing under the Taylor Grazing Act," respectfully report as follows: That House Bill No. 397 do pass.

SHERMAN, Chairman.

On motion of Sherman, report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 344, entitled: "An Act to amend Section 11005, Revised Codes of Montana, 1921, relating to lewd and lascivious acts upon children," respectfully report as follows: That House Bill No. 344 do pass.

MONAHAN, Chairman.

On motion of Monahan, report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 329, entitled: "An Act to amend Section 5771, Revised Codes of Montana, 1921, relating to support of wife and children on divorce or separation granted to wife, and providing for modification of the judgment," respectfully report as follows: That House Bill No. 329 do pass.

MONAHAN, Chairman.

On motion of Monahan, report adopted.

Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration House Bill No. 186, entitled: "An Act validating bonds, warrants and other evidences of indebtedness heretofore issued by any irrigation district in the State of Montana," respectfully report as follows: That House Bill No. 186 do not pass.

NUTTING, Chairman.

On motion of Nutting, report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 7, entitled: "A Memorial memorializing Congress that they take appropriate action against the passage of Senate Bill 1130, a Bill providing for unemployment of old age," respectfully report as follows: That House Joint Memorial No. 7 do not pass.

STEVENS, Chairman.

On motion of Stevens, report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Resolution No. 5, entitled: "A Resolution requesting the enactment by Congress of the United States of Senate Bill No. 266 now pending in the Senate of the United States, being a bill to provide for the erection of a public historical museum in the Custer Battlefield National Cemetery in Montana," respectfully report as follows: That Senate Joint Resolution No. 5 be concurred in.

STEVENS, Chairman.

On motion of Stevens, report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Resolution No. 6, entitled: "Joint Resolution memorializing Congress to use granite and natural stone in construction of public buildings," respectfully report as follows: That House Joint Resolution No. 6 do pass.

STEVENS, Chairman.

On motion of Stevens, report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Resolution No. 7, entitled: "A Joint Resolution requesting Honorable Harold L. Ickes, Public Works Administrator, to allot funds for the construction of a highway leading from the town of Opheim in Valley County, Montana, to Glasgow, Montana," respectfully report as follows: That House Joint Resolution No. 7 do pass.

STEVENS, Chairman.

On motion of Stevens, report adopted.

Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration House Bill No. 409, entitled: "An Act to amend Section 7184 of the Revised Codes of Montana of 1921, as amended by Section Six of Chapter 157, of the Session Laws of 1923, relating to the qualification and designation of electors entitled to vote at irrigation dis-

trict elections and the manner of voting by agents, co-owners and purchasers of land under contract of sale," respectfully report as follows: That House Bill No. 409 do pass.

NUTTING, Chairman.

On motion of Nutting, report adopted.

Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration House Bill No. 246, entitled: "An Act validating the organization of irrigation districts in the State of Montana and the bonds, warrants and other evidence of indebtedness heretofore issued by any such districts," respectfully report as follows: That House Bill No. 246 do pass.

NUTTING, Chairman.

On motion of Nutting, report adopted.

Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration House Bill No. 288, entitled: "An Act to amend Section 7252 of the Revised Codes of Montana, 1921, and validating bonds, warrants and other evidences of indebtedness heretofore issued by any irrigation district in the State of Montana," respectfully report as follows: That House Bill No. 288 do not pass.

NUTTING, Chairman.

On motion of Nutting, report adopted.

Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration House Bill No. 74, entitled: "An Act relating to irrigation districts; empowering Boards of Commissioners of such districts to supervise, regulate and control the apportionment and distribution of water through the distribution system of such districts; providing for the installation of lock boxes, head gates or other devices for the distribution of water through laterals at the expense of the lands served thereby; prohibiting interference with the control of water by Boards of Commissioners; defining certain terms used in this Act; providing penalties for the violation of this Act and repealing Chapter 119 of the Acts of the Twenty-third Legislative Assembly of Montana of 1933, and all other Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 74 be submitted without recommendation.

NUTTING, Chairman.

On motion of Nutting, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 157, entitled: "An Act for a bill requiring all banks doing business in the State of Montana to furnish an annual report of unclaimed deposits on the first day of March of each year after the passage and approval hereof to the Superintendent of Banks and providing for the publication of the names and addresses of each person and providing for an examination by the Bank Examiner of the books of the bank at least thirty days prior to March first of each year for the purpose of discovering all unclaimed deposits in either a general checking, saving account or otherwise or held upon certificates of deposit or in any other way by said banks and being unclaimed for a period of seven years or more prior to March first of each year and providing further for the payment of all funds unclaimed deposits for said period of time into state treasury and upon proper distribution into the County Treasury where said bank or banks may be situated to be paid into a fund known as the Old Age Pension Fund, the Montana Teachers Welfare Fund and upon the failure of an Old Age Pension Fund to be divided equally between the Mother's Pension Fund and Widow's Pension Fund," respectfully report as follows: That House Bill No. 157 do not pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 303, entitled: "An Act to amend Chapter Forty-one (41) of the Session Acts of Montana of the Extraordinary Session of 1933-34 providing a license tax on all persons, associations or corporations owning or operating a telegraph business in this state," respectfully report as follows: That House Bill No. 303 do pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 331, entitled: "An Act providing for the registration of public contractors, and defining the term public contractor; providing the method of obtaining a license to engage in the business of public contracting in the State of Montana; fixing the fee for such licenses and providing the method of suspension, cancellation, and reinstatement thereof; prescribing penalties for violation of this Act, and repealing Chapter 55 of Laws of the Extraordinary Session of the Twenty-third Legislative Assembly of the State of Montana," respectfully report as follows: That House Bill No. 331 do pass.

On motion of Rolph, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and bills are herewith transmitted to the Senate for concurrence:

Substitute for S. B. No. 8.
Senate Bill No. 95.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Senate Committee on Judiciary, report adopted, and bills are herewith returned to the House:

House Bill No. 150, by Manning.
House Bill No. 164, by Judiciary Committee.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 65 and 130 were this day recommended for non-concurrence by the Senate Committee of the Whole, report adopted, and bills are herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that further messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day introduced, read first and second time and referred to committee:

S. B. No. 149, by Cotter, Hollenback, Garrison and Sparling: A Bill for an Act entitled: "An Act granting to the Montana Public Service Commission the right and power under certain conditions to purchase, transport and sell to the public, gasoline, automotive fuels, oils and lubricants and further granting said commission under certain conditions the right and power to enter into contracts with licensed retail gasoline dealers to sell the said products to the public; or to sell direct; providing for a record of all transactions and the fixing of reasonable rules and regulations for carrying out the provisions of this Act." To State Boards and Offices.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that S. B. No. 81 was this day killed on third reading.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motions were this day made, duly seconded and carried:

On motion, S. B. No. 26 was referred to the Judiciary Committee.

On motion, S. B. No. 113 was taken from General File and referred to the Committee on Fish and Game.

On motion, S. B. No. 74 was ordered printed and placed on General File.

Substitute motion, that S. B. No. 115 be indefinitely postponed.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time and referred to committees:

S. B. No. 129, by Committee on Banks and Banking: A Bill for an Act entitled: "An Act providing for the filing of notices of chattel mortgages and renewals and assignments, and satisfactions thereof on livestock owned by owners of recorded brands, in the office of the General Recorder of Marks and Brands, and the listing of the same in the principal livestock markets with livestock commission stock inspectors, prescribing the form of such notices and providing what they shall contain and who shall furnish the same, the fee to be charged therefor and to be paid into the livestock commission fund, and non-liability of the General Recorder of Marks and Brands and the Livestock Commission and its agents and employees." Stockgrowing and Grazing.

S. B. No. 130, by Meyer: A Bill for an Act entitled: "An Act to amend Section 7727 of the Revised Codes of Montana of 1921, relating to the penalty for usury, action to recover excessive interest." To Judiciary.

S. B. No. 131, by Putnam: A Bill for an Act entitled: "An Act to amend Sections 4736 of the Revised Codes of Montana of 1921, relating to the keeping open of county offices." To Counties and Towns.

S. B. No. 132, by Lamp: A Bill for an Act entitled: "An Act to amend Section 2 of Chapter 33 of the Session Acts of the Twentieth Legislative Assembly of Montana of 1927, relating to the exclusion of territory from

the corporate limits of cities and towns, and providing for the vacation of streets, alleys, avenues and public places upon the exclusion of such territory." Counties and Towns.

S. B. No. 133, by Meyer: A Bill for an Act entitled: "An Act regulating the rank and priority of liens for general taxes and assessments for local improvements in cities and towns." To Counties and Towns.

S. B. No. 134, by Meyer: A Bill for an Act entitled: "An Act providing for the foreclosure of special assessment liens by owner of unpaid bond and prescribing procedure thereon." To Judiciary.

S. B. No. 135, by Meyer and Murphy: A Bill for an Act entitled: "An Act to amend Section 12288 of the Revised Codes of Montana 1921, as amended by Chapter 185 of the Session Laws of the Twenty-third Legislative Assembly of the State of Montana." To Judiciary.

S. B. No. 136, by Meyer: A Bill for an Act entitled: "An Act to amend Section 7726, Revised Codes of Montana of 1921, relating to interest and the amount that parties may agree to and what charges are prohibited." To Judiciary.

S. B. No. 137, by Meyer: A Bill for an Act entitled: "An Act to make valid and enforceable written provisions or agreements for the arbitration of disputes, and repealing Sections 9972 to 9981 inclusive of the Revised Codes of Montana of 1921." To Judiciary.

S. B. No. 138, by Pauline and Holt: A Bill for an Act entitled: "An Act amending Section 4532 of the Revised Codes of Montana of 1921, as last amended by Chapter 19 of the Acts of the Extraordinary Session of the Twenty-third Legislative Assembly of 1933-34, relating to the establishment of residence for purpose of receiving county relief, and repealing all Acts in conflict herewith." To Relief and Social Welfare.

S. B. No. 139, by Sparling: A Bill for an Act entitled: "An Act to amend Section 4584 of the Revised Codes of Montana of 1921, as amended by Chapter 133 of the Session Acts of the Twenty-first Legislative Assembly of Montana of 1929, relating to the method of assessing the cost of improvements in rural improvement districts." To Taxation.

S. B. No. 140, by Holt: A Bill for an Act entitled: "An Act designating the Montana Rural Rehabilitation Corporation as a public agency of the state for the purpose of rehabilitation and relief, and requiring all public officers to cooperate with said commission in the relief of destitution and unemployment." To Relief and Social Welfare.

S. B. No. 141, by Pauline and Holt: A Bill for an Act entitled: "An Act regulating the acquisition of residence for purposes of registration or voting, and repealing all Acts in conflict herewith." To Judiciary.

S. B. No. 142, by Meyer: A Bill for an Act entitled: "An Act to amend Chapter 59 of the Montana Session Laws of 1933, relating to the fees and salaries of County Coroners." To Counties and Towns.

S. B. No. 143, by Groff: A Bill for an Act entitled: "An Act to permit irrigation districts that have borrowed money from the United States, to change the boundaries of said district, with the consent of the land owners and the Secretary of Interior of the United States, by eliminating certain lands and providing the procedure for such elimination." To Irrigation and Water Rights.

S. B. No. 144, by Campbell: A Bill for an Act entitled: "An Act to authorize the erection of a journalism building for the Montana State University at Missoula, to authorize the procuring of funds for the construc-

tion of said building from the United States, and to authorize the transfer to the United States of title to the ground upon which the said building is to be erected, and to authorize the State Board of Education to enter into a contract with the United States or with any properly constituted person or body representing the United States, for the financing and erection of said building, and for compensation to the United States for the use of said building through the payment of rental, or otherwise, as may be required by the laws of the United States, or regulations adopted thereunder, and generally to authorize the State Board of Education to enter into such contract or contracts with the United States as may be required for the procuring of the necessary money to pay for the construction of said building, and to enter into proper and appropriate contracts with contractors, builders, and others, for the erection of such building, and to provide that such contract or contracts shall not be, and never shall become, a charge against the State of Montana, or create a liability, debt or obligation of the State of Montana." To Public Buildings.

S. B. No. 145, by Holt and Church: A Bill for an Act entitled: "An Act to amend Sections 1493 to 1497 inclusive of the Revised Codes of Montana of 1921, relating to the furnishing of free higher education to certain inmates of the State Orphans' Home, the State Industrial School and the State Vocational School for Girls." To Education.

S. B. No. 146, by Delaney by request: A Bill for an Act entitled: "An Act for the prevention of the sale or giving away, except by licensed practitioners of medicine, osteopathy or other licensed practitioners of the healing arts and of licensed pharmacists, of contraceptive devices, or other articles, devices or appliances designed for that purpose or for the purpose of preventing venereal disease, or sex inciting devices, and authorizing officers of the law to make arrests for violation of the Act, and to seize stocks of such articles unlawfully held or offered for sale, and prescribing a penalty for the violation of this Act." To Public Morals.

S. B. No. 147, by Coburn: A Bill for an Act entitled: "An Act to change the boundary line between the Counties of Glacier and Pondera; taking from said County of Pondera certain territory and adding the same to said County of Glacier; providing for the appointment of commissioners to adjust indebtedness; providing for the transfer of school funds and delinquent taxes; providing for the transcribing and transfer of records and the transfer of actions pending in court; and providing that township, school, and other officers within the territory so transferred shall hold their offices for the balance of their term." To New Counties and Divisions.

S. B. No. 148, by Baker: A Bill for an Act entitled: "An Act extending to June 1, 1936, the period of the public works emergency relief program authorized by Chapter 24 of the Acts of the Extraordinary Session of the Twenty-third Legislative Assembly of 1933-34, and repealing all Acts in conflict herewith." To Relief and Social Welfare.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Holt, Kilduff and Thien: A Bill for an Act entitled: "An Act to permit the State of Montana and the counties of such state to cooperate with the State Water Conservation Board in the Construction of Water Conservation projects within the State of Montana, and to permit the inclusion in such projects of state lands, school lands, and lands owned by counties, and subjecting such lands to certain obligations."

By Coburn: A Bill for an Act entitled: "An Act relating to the disposal of royalties and rentals hereafter received by the state from oil, gas and other mineral rights which have been reserved by the state from contracts and conveyances made prior to February 26, 1929, of lands acquired by the state through mortgage foreclosures, and providing for the payment of six and one-fourth per cent (6¼ %) of such royalties or rentals to the purchasers of such lands."

By Committee on Oils and Leases: A Bill for an Act entitled: "An Act to amend Section 2, Chapter 18, of the Extraordinary Session Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933-34, to remove the limitation on the period of time during which the Oil Conservation Board of the State of Montana shall be in existence."

By Holt: A Bill for an Act entitled: "An Act abolishing liability of cities on account of defects in or unsafe conditions of streets and public ways."

By Holt: A Bill for an Act entitled: "An Act to amend Section 5084, Revised Codes of Montana, 1921, relating to the payment of judgments recovered against cities and towns."

By Page: A Bill for an Act entitled: "An Act providing for the regulation of the hours of labor of all employees in tourist camps, providing certain rules and regulations for safety and sanitary conditions thereof and repealing all Acts and parts of Acts in conflict herewith."

By Oliver: A Bill for an Act entitled: "An Act to define the boundary lines between the Counties of Carter and Powder River in the State of Montana, and repealing all Acts in conflict therewith."

By Oliver: A Bill for an Act entitled: "An Act to revise Section 4482, Revised Codes of 1921, and Chapter 10 of Session Laws of 1929 relating to contracts for public printing, fixing the prices thereof, and providing a penalty for violation of this Act."

By Oliver: A Bill for an Act entitled: "An Act to amend Chapter 12 of the Session Laws of 1933, known as the nepotism law, defining what persons shall come under the provisions thereof."

By Campbell, Pauline, Holt and Delaney: A Senate Joint Resolution memorializing the Congress of the United States to repeal the Fourth Section of the Interstate Commerce Act, or amend same, as proposed by the Pettengill Bill. H. R. 3263, introduced in the House of Representatives at the present session of Congress.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notice of introduction was this day received:

By Benjamin and Nass: A Bill for an Act entitled: "An Act to prohibit the conducting of entertainment at, in, about or adjacent to any beer hall, room, establishment or premises in which beer is sold under the Laws of Montana; defining the terms used in this Act; providing penalties for the violation of this Act, and repealing all Acts in conflict herewith."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole, this day, having had under

consideration business on General File, respectfully report and recommend as follows:

That consideration of S. B. No. 90 be passed for the day.

That S. B. No. 97 be amended in line 10 after the word "bridle" by inserting the following: one team of horses, one set harness, a wagon"; and as so amended, do pass.

That consideration of S. B. No. 103 be passed for the day.

That S. B. No. 110 do pass.

That S. B. No. 84 be amended in Section 1 by striking out in lines 13 and 14, "one per centum (1%)", and inserting in lieu thereof the words, "six and one-fourth per centum (6¼%)"; and as so amended, do pass.

That S. B. No. 86 do pass.

That S. B. No. 101 do pass.

That H. B. No. 64 be concurred in.

That H. B. No. 130 be not concurred in.

That H. B. No. 202 be concurred in.

That H. B. No. 160 be concurred in.

That H. B. No. 103 be concurred in.

That H. B. No. 100 be concurred in.

That H. B. No. 163 be concurred in.

That H. B. No. 65 be not concurred in.

Report adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Engrossing: Reported S. B. Nos. 81, 95, and Substitute for Sub. S. B. No. 8 correctly engrossed.

Compensation: Recommend H. B. No. 135 be re-referred to Judiciary Committee for legal technicalities.

Judiciary: That H. B. No. 164, 150 be not concurred in.

That H. B. Nos. 103, 163, Sub. H. B. No. 11 be concurred in.

That H. B. No. 160 be amended in line 24 of Section 1 by adding at the end of said Section the words: "If the judge become sick, he may discharge the jury"; and that the title be amended in line 4, by inserting after the word "juror" the words, "or the judge," and as so amended, be concurred in.

That H. B. No. 100 be amended in the title in line 6 by inserting after the figures "1923" the words, "and as amended by Chapter 67 of the Laws of the Twenty-second Legislative Assembly of 1931" and that Section 1 be amended in line 13 by inserting after the figures "1923" the words, "and as amended by Chapter 67 of the Laws of the Twenty-second Legislative Assembly of 1931," and as amended, recommend same be concurred in.

That S. B. No. 111 do pass.

Roads and Highways: That S. B. No. 26 be reported out without recommendation.

That S. J. M. No. 3 do not pass.

Public Morals: That S. B. No. 85 do not pass.

Education: That S. B. No. 128 do pass.

Rules: Amend Joint Rule No. 22 by adding after the period at the end of the paragraph the following: "Where two Senators or Representatives are paired on any measure before the Senate or House of Representa-

tives, each Senator or Representative shall, in writing, show on the 'vote pair' whether he is for or against the measure." And as amended, respectfully recommend that the Joint Rules of the Twenty-fourth Legislative Assembly be adopted as the permanent Joint Rules of the Twenty-fourth Legislative Assembly.

Water Conservation and Flood Control: That S. B. No. 127 do pass.

That S. B. No. 101 be amended in the title on the last line thereof by inserting after the words, "and declaring an emergency" the words: "and by adding Section 21-B thereto so as to grant additional powers to the Board in the sale of water and to authorize the sale of certain water works to public bodies."

That Section 2 be amended by adding to sub-division (b) on line 12, page 2, printed bill, the following: "mains, pipelines and waterworks systems and shall include all such works for the conservation, development, storage, distribution and utilization of water including, without limiting the generality of the foregoing, works for the purpose of irrigation, development of power, watering of stock, supplying of water for public, domestic, industrial and other uses for fire protection."

That there be added to said bill a section to be designated Section 6:

"Section 6. That the following section to be designated Sections 21-B be added to Chapter 35 of the Acts of the Extraordinary Session of the Twenty-third Legislative Assembly of the State of Montana after Section 21-A thereof:

"Section 21-B. Sale of waterworks and water therefrom. In addition to the powers conferred hereby upon the State Water Conservation Board to sell, lease and otherwise dispose of waters for the purpose of irrigation, development of power, watering of stock, or other purposes, the Board shall have power to sell, lease and otherwise dispose of waters from its waterworks systems for public, domestic, industrial and other uses and for fire protection. The Board is empowered to sell or otherwise dispose of any such waterworks system which is not operated for the purpose of irrigation or development of power, after the discharge of all of the bonds issued by the board to finance the construction or acquisition thereof and of all interest thereon and costs and expenses incurred in connection with any action or proceeding by or on behalf of the holders of such bonds; provided, however, that no such sale or other disposition shall be made except to a municipality, political subdivision, authority or other public body of the state."

That same be amended by re-numbering Sections 6, 7, 8 and 9 to be consecutively Sections 7, 8, 9 and 10.

And as so amended, recommend same do pass.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Keeley, Meyer, Sullivan, Page and Coburn: A Bill for an Act entitled: "An Act to provide for the sale of beer by duly licensed retail vendors of alcoholic liquors, the apportionment of license fees collected, and to amend Section 4 of Chapter 106 of the Laws of 1933, Regular Session, defining the alcoholic content of beer."

By Garrison, Holt and Sparling: A Bill for an Act entitled: "An Act creating the electrification authority of Montana for the purpose of pro-

moting and encouraging the fullest possible use of electric energy in the state by making electric energy available to inhabitants of the state at the lowest cost consistent with sound economy and prudent management; authorizing the authority to buy, sell and distribute electric energy and to construct or otherwise acquire a system or systems for the transmission and distribution of electric energy to carry out the purpose of this Act; providing for the rights, powers and duties of the authority; authorizing and regulating the issuance of bonds by the authority; providing for the payment of such bonds and the rights of the holders thereof; and declaring an emergency."

By Campbell: A Bill for an Act entitled: "An Act to regulate the deposit of public moneys of counties, cities and towns and authorizing the acceptance of cashier's checks of Federal Reserve Banks as security for such deposits."

By Meyer: A Bill for an Act entitled: "An Act to amend Section 1475 of Chapter 113 of the Revised Codes of Montana, 1921, relating to application for admission to school—service of copies."

By Meyer: A Bill for an Act entitled: "An Act to authorize Boards of County Commissioners to take assignments of rent due to property owners under certain conditions in satisfactory for taxes due from said property owners."

By Hollenback: A Bill for an Act entitled: "An Act providing for consolidation of school districts; providing for transportation; providing for officers and providing certain districts shall not receive aid from the State Equalization Fund."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Corporations Other than Municipal: That S. B. No. 125 do pass.

Horticulture: That H. B. No. 53 be amended in Section 1, line 12, after the word "law", by inserting: "in this state."

And in Section 1, line 15, after the word "law" by adding the following: "provided that price tags exhibited in a place of business upon exposed products shall not be considered advertising under the provisions of this Act."

And as amended, be concurred in.

Horticulture: That H. B. No. 55 be concurred in.

Taxation: That S. B. No. 55 be amended in the title by striking out in line 4 the figures "1936" and inserting in lieu thereof the figures "1935";

Be amended in Section 1, page 3, line 28, by striking out the figure "1936" and inserting in lieu thereof the figure "1935";

Be amended in Section 1, page 3, line 29, by striking out the figure "1936" and inserting in lieu thereof the figure "1935";

By reamending the previous amendment on page 4, Section 2, line 7, by inserting between the words "taxpayers advising," the words "to their last known address";

Be amended in Section 3, page 4, line 9, by striking out the figure "1936" and inserting the figure "1935";

And as so amended, do pass.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

The Speaker,
House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved the following House measures:

H. B. No. 34—Providing for taxation of the property of freight line companies.

H. B. No. 72—Providing for the recount of votes cast at the general or special election or any municipal election.

H. B. No. 102—Making certain the names of the units of the University of Montana.

H. B. No. 104—Repealing Sections 4640-4679, relating to seed grain loans.

H. B. No. 105—Relating to the time for making assessments.

H. B. No. 106—Relating to the manner of assisting electors unable to record vote upon the voting machine.

H. B. No. 112—Relating to the codification of the Revised Codes of Montana of 1935.

H. J. M. No. 4—Memorializing Congress to force immediate resumption of work on the Polson damsite.

H. J. M. No. 6—Requesting an investigation of flood control of the Yellowstone River.

F. H. COONEY,
Governor.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that House Bills Nos. 183 and 230 be passed for the day.

It was moved by Mulholland, duly seconded and carried, that House Bill No. 227 be passed for the day.

Fowler withdrew his motion, made yesterday, which was passed until today, that House Bill No. 521 be taken from the Committee on Judiciary and referred to the Committee on State Boards and Officers.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following bill was introduced, read first and second time and referred to the Committee on Printing:

Substitute for Substitute House Bill No. 36, introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act to provide for a farm laborers' lien and to provide for the filing and foreclosure of said liens and the filing of satisfaction thereof."

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Leavitt of Custer in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That House Bill No. 340 do pass.

That House Bill No. 359 do pass.

That House Bill No. 352 be passed for the day.

That House Bill No. 283 do pass.

That the enacting clause be stricken in House Bill No. 120.

LEAVITT, Chairman.

On motion of Leavitt, report adopted.

House recessed for thirty minutes.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 194, entitled: "An Act relative to the appointment of a Pound Master in counties wherein herd districts have been or shall be created; providing for impounding stock running at large in herd districts; providing for the collection of a fee by impounding such stock until the fee is paid, and the disposal of the revenue received therefrom and providing for the compensation of the Pound Master," respectfully report as follows: That House Bill No. 194 do not pass.

CHAPMAN, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 509, entitled: "An Act to amend Section 2 of Chapter 47 of the Laws of the Extraordinary Session of the Twenty-third Legislative Assembly of the State of Montana, 1933, relative to attaching common school districts to high school districts," respectfully report as follows: That House Bill No. 509 do not pass.

PETERSON OF VALLEY, Chairman.

On motion of Peterson of Valley, report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 266, entitled: "An Act permitting injured workman or public officer to file claims for compensation for alleged industrial accident injury and disability after the expiration of six months from the date of the happening of the accident, injury and disability and permitting notice thereof to be deemed given," respectfully report as follows: That House Bill No. 266 be amended as follows: In the title, line (3) change six to thirty and line (4) change months to days.

In Section 2, line (25) change six to thirty and line (26) change months to days, and as amended, do pass.

SPIEGEL, Chairman.

On motion of Spiegel, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 489, entitled: "An Act to appropriate money for the operation, maintenance and other purposes, as designated herein, for certain of the state's institutions, for the period beginning July 1, 1935, and ending June 30, 1937," respectfully report as follows: That House Bill No. 489 do pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 490, entitled: "An Act to appropriate money for the operation and maintenance of the six units of the University of Montana, for the Agricultural Experiment Stations and Substations, for Farmers Extension Work, for the Bureau of Mines, for the Students' Railroad Fare Refund, for the period beginning July 1, 1935 and ending June

30, 1937," respectfully report as follows: That House Bill No. 490 be amended as follows: That in line 17, page 2, the words and figures "Two Hundred Fifty-three Thousand Dollars (\$253,000.00)" be stricken out and that the words and figures "Two Hundred Fifty-two Thousand Dollars (\$252,000.00)" be inserted in lieu thereof; that in line 12, page 5, the words and figures "Two Hundred Fifty-three Thousand (\$253,000.00)" be stricken out and that the words and figures "Two Hundred Fifty-two Thousand Dollars (\$252,000.00)" be inserted in lieu thereof and that the bill, as amended do pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 491, entitled: "An Act to appropriate money for the operation, maintenance and other purposes as designated herein, for certain state departments and offices for the period beginning July 1, 1935 and ending June 30, 1937," respectfully report as follows: That House Bill No. 491 be amended as follows: That in line 17, page 5, the words and figures "Four Thousand Eight Hundred Dollars (\$4800.00)" be stricken out and that the words and figures "Six Thousand Dollars (\$6000.00)" be inserted in lieu thereof; that in line 12, page 9, the words and figures "Four Thousand Eight Hundred Dollars (\$4800.00)" be stricken out and that the words and figures "Six Thousand Dollars (\$6000.00)" be inserted in lieu thereof, and that the bill, as amended, do pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF THE SAME

The following bill was introduced, read first and second time, at length and referred to Committee on Appropriations.

House Bill No. 532, introduced by the Appropriation Committee: A Bill for an Act entitled: "An Act to appropriate money for the operation, maintenance and other purposes, as designated herein, for certain state departments, boards, bureaus, commissions and institutions, for the period beginning July 1, 1935 and ending June 30, 1937."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 532, entitled: "An Act to appropriate money for the operation, maintenance and other purposes, as designated herein, for certain state departments, boards, bureaus, commissions and institutions, for the period beginning July 1, 1935, and ending June 30, 1937," respectfully report as follows: That House Bill No. 532 do pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 226, entitled: "An Act to amend Sections 2816, 2841, and 2911 of the Revised Codes of Montana of 1921, and to amend Section 2843 of the Revised Codes of 1921, as amended by Chapter 112 of the Session Laws of the Twenty-third Legislative Assembly of 1933; and to amend Section 2898 of the Revised Codes of Montana of 1921, as amended by Chapter 121 of the Session Laws of the Nineteenth Legislative Assembly of 1925; and to amend Section 2981 of the Revised Codes of Montana 1921, as amended by Chapter 177 of the Session Laws of the Twenty-first Legislative Assembly of 1929, and to repeal Sections

2978, 2979, 2980, 2982, 2983, 2984, 2985, 2986, 2987, 2988 and 2989, of the Revised Codes of Montana of 1921; all relating to workmen's compensation; and to repeal all Acts and parts of Acts in conflict herewith, with certain reservations," respectfully report as follows: That House Bill No. 226, do pass.

SPIEGEL, Chairman.

On motion of Spiegel, report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 345, entitled: "An Act to amend Section 2819 of the Revised Codes of the State of Montana of 1921, relating to Industrial Accident Board, qualifications of the members thereof, compensation, term and salary," respectfully report as follows: That House Bill No. 345 do not pass.

SPIEGEL, Chairman.

On motion of Spiegel, report adopted.

Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 269, entitled: "An Act to amend Section 6339 of the Revised Codes of Montana of 1921, as amended by Chapter 55 of the Session Laws of the Twenty-second Legislative Assembly of the State of Montana, relating to the payment of death and annuity benefits upon the lives of children; providing for the organization and operation of a branch of the society for children, and providing for the amount of benefits thereunder," respectfully report as follows: That House Bill No. 269 be reported without recommendation.

O'BYRNE, Chairman.

It was moved by O'Byrne, duly seconded, that the report be adopted.

On substitute motion, it was moved by Ritch, duly seconded and carried, that House Bill No. 269 do not pass.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 394, entitled: "An Act to amend Section 3002 of the Revised Codes of Montana, 1921, relating to workmen's compensation, providing method of collection of delinquent premiums due the board; authorizing the board to cancel employers right to operate under the Compensation Act. Providing the notice for and the method of such cancellation; the duty of the sheriff to serve said notices and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 394 do pass.

SPIEGEL, Chairman.

On motion of Spiegel, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Conner, duly seconded, that the House reconsider its action taken in the Committee of the Whole, in regard to House Bill No. 120. Motion was lost.

It was moved by Conner, duly seconded and carried, that House Bill No. 243 be passed for the day.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Leavitt of Custer in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following; all amendments referring to printed bills unless otherwise specified:

That Substitute House Bill No. 37 do pass.
That Substitute House Bill No. 158 do pass.
That Substitute House Bill No. 279 do pass.
That Substitute House Bill No. 79 do pass.

LEAVITT, Chairman.

On motion of Leavitt, report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, beg leave to report the following correctly printed: House Bills Nos. 283, 352, 227, 311,

McCAUSLAND, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bills Nos. 291, 151, 262, 181.

EWING, Chairman.

Without objection, report adopted.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Sunday, 1:00 o'clock P. M., February 17th, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FORTY-SECOND DAY

House of Representatives,
Helena, Montana, February 17th, 1935.

House convened, pursuant to adjournment, at 1:00 o'clock P. M.

Mr. Speaker in the Chair.

Invocation by Representative McLaughlin.

A quorum was present.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the forty-first legislative day, find the same to be correct.

QUIGLEY, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bills Nos. 359, 283, 340.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following considered correctly engrossed: Substitute House Bill No. 79.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 175 and 177, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and Presi-

dent of the Senate, were this day, at the hour of 2:10 o'clock P. M., delivered to the Governor for his approval.

MONAHAN, Chairman.

Without, objection, report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 4, entitled: "An Act relating to the closed season for deer and elk in Carbon County, State of Montana; providing for the powers and duties of the Montana State Fish and Game Commission relative to the provisions of this Act; making the violation of this Act a misdemeanor and providing a penalty for such violation, and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That Senate Bill No. 4 be concurred in.

LEMMER, Chairman.

On motion of Lemmer, report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 49, entitled: "An Act relating to the closed season for deer, elk, and antelope in Fallon, Prairie and Carter Counties, State of Montana, providing for the power and duties of the Montana Fish and Game Commission relating to the provisions of this Act; making the violation of this Act a misdemeanor and providing a penalty for such violation, and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That Senate Bill No. 49 be concurred in.

LEMMER, Chairman.

On motion of Lemmer, report adopted.

Mr. Speaker: We, your Committee on New Counties and Divisions, having had under consideration House Bill No. 369, entitled: "An Act establishing and defining the boundary line between Park and Carbon Counties," respectfully report as follows: That House Bill No. 369 do not pass.

MILLER, Chairman.

On motion of Miller, report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 350, entitled: "An Act to amend Section 11159, Revised Codes of Montana, 1921, prohibiting gambling games, said amendment providing for the playing of certain games for amusement and pastime, and the use in places of business of trade stimulaters upon the payment of a license to the County Treasurer, and providing a penalty for the violation thereof," respectfully report as follows: That House Bill No. 350 do pass.

MONAHAN, Chairman.

On motion of Monahan, report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 438, entitled: "An Act to amend Section 3718, Revised Codes of Montana, 1921, relating to dumping of refuse in streams," respectfully report as follows: That House Bill No. 438 be referred to Committee on Public Health and Sanitary Affairs.

LEMMER, Chairman.

On motion of Lemmer, report adopted.

Mr. Speaker: We, your Committee on Horticulture, having had under consideration House Bill No. 486, entitled: "An Act to empower any City

or Town Council to own and operate spraying equipment and perform spraying services on privately owned fruit, shade and/or ornamental trees and/or vines, shrubbery and other vegetation and foliage, and to make charges and collect payments therefor," respectfully report as follows: That House Bill No. 486 do pass.

KUHL, Chairman.

On motion of Kuhl, report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration Senate Bill No. 34, entitled: "An Act to provide for the submission to the qualified electors of the State of Montana of an amendment to Article XVI of the Constitution of the State of Montana by adding thereto a section to be known as Section 8 prohibiting the abandonment, abolition, and/or consolidation of counties in whole or in part or at all except by a majority vote of the duly qualified electors in the county or counties proposed to be abandoned, abolished, and/or consolidated," respectfully report as follows: That Senate Bill No. 34 be concurred in.

MANNING, Chairman.

On motion of Lott, report adopted.

Mr. Speaker: We, your Committee on Fairs and Expositions, having had under consideration House Bill No. 471, entitled: "An Act to permit wrestling matches and exhibitions in the State of Montana; providing for the direction, management, control, supervision and jurisdiction over such wrestling matches and exhibitions; providing the amount and collection of fees for issuance of licenses under the provisions of this Act, and the disposition of such license fees; providing for the collection and disposition of a percentage of the gross receipts obtained as a result of wrestling matches and exhibitions; and providing for surety bond conditioned upon the payment of such percentage tax to the State of Montana," respectfully report as follows: That House Bill No. 471 do pass.

BERTSCHE, Chairman.

On motion of Bertsche, report adopted.

Mr. Speaker: We, your Committee on Fairs and Expositions, having had under consideration House Bill No. 321, entitled: "An Act to amend Section 4545, Revised Codes of Montana as amended by Chapter 30 of the Twentieth Legislative Assembly relating to the appointment, qualification, term of office, meetings and business of County Fair Commissioners," respectfully report as follows: That House Bill No. 321 do not pass.

BERTSCHE, Chairman.

On motion of Bertsche, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that House Bill No. 229, 230 and 231 be placed at the foot of General Orders and kept there until further disposition is made by the House.

It was moved by Emmons, duly seconded and carried, that Substitute House Bill No. 42 be passed for the day.

It was moved by Hinerman, duly seconded and carried, that House Bill No. 183 be passed for the day.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, history and title agreed to, were disposed of as follows:

House Bill No. 291, introduced by Kruse, by request, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Ballard, Bertsche, Boone, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmons, Ewing, Foor, Goodwin, Gordon, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harlen, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, McCausland, McLaughlin, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Neary, Nelson, Nutting, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Scofield, Sexton, Sherman, Smith, Southmayd, Stevens, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 85.

Noes: None.

Absent and not voting: Acher, Balgord, Burris, Emmett, Fowler, Gray, Haight, Harwood, Johnson, Lovell, Manning, Metlen, Mundy, O'Brien, Ryan, Spiegel, Stromnes. Total 17.

The Speaker: Eighty-five have voted "aye," none have voted "no"; House Bill No. 291 has passed the House.

House Bill No. 151, introduced by Manning, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harlen, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Kathan, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, McCausland, McLaughlin, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Scofield, Sexton, Sherman, Smith, Southmayd, Stevens, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 83.

Noes: Kelly, Stimatz. Total 2.

Absent and not voting: Acher, Balgord, Byrne, Emmett, Fowler, Haight, Harwood, Johnson, Lovell, Manning, Metlen, Minette, Moss, Mundy, Ryan, Spiegel, Stromnes. Total 17.

The Speaker: Eighty-three have voted "aye," two have voted "no"; House Bill No 151 has passed the House.

It was moved by Groene of Fergus, duly seconded and carried, that Third Reading of Sub. House Bill No. 79 be passed for the day.

House Bill No. 262, introduced by Committee on Agriculture, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Ballard, Brennan, Busch, Buttelman, Byrne, Chamberlain, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmons, Ewing, Foor, Goodwin, Gordon, Green (Dawson), Groene (Fergus), Hall, Harlen, Haugan, Hedden, Holding, Hinerman, Joffray, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Liggett, Lippard, Logan, Lott, McCausland, McLaughlin, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Scofield, Sexton, Sherman, Smith, Toomey, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 75

Noes: Bertsche, Boone, Hamilton, Lemmer, Southmayd, Stevens, Stimat, Watson. Total 8.

Absent and not voting: Acher, Balgord, Burris, Chapman, Emmett, Fowler, Gray, Haight, Harwood, Heavlin, Johnson, Lovell, Manning, Metlen, Minette, Mundy, Ryan, Spiegel, Stromnes. Total 19.

The Speaker: Seventy-five have voted "aye," eight have voted "no"; House Bill No. 262 has passed the House.

House Bill No. 181, introduced by Goodwin, Toomey and Stromnes, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Ballard, Bertsche, Boone, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Harlen, Heavlin, Holding, Hinerman, Joffray, Kathan, Kelly, Kruse, Lasby, Leary, Leavitt, Lemmer, Liggett, Lott, McCausland, McLaughlin, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Neary, Nelson, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Smith, Southmayd, Stevens, Toomey, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 73.

Noes: Hamilton, Haugan, Lippard, Nutting, Sexton, Stimat. Total 6.

Absent and not voting: Acher, Balgord, Burris, Emmett, Fowler, Haight, Harwood, Hedden, Johnson, Logan, Lovell, Manning, Metlen, Minette, Mundy, Ryan, Spiegel, Stromnes. Total 18.

The following passed their vote: Hall, Kuhl, Scofield, Sherman, Watson. Total 5.

The Speaker: Seventy-three have voted "aye"; six have voted "no"; House Bill No. 181 has passed the House.

House Bill No. 359, introduced by Moss and Kelly, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Ballard, Bertsche, Boone, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Ecton, Egan, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harlen, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, McCausland, McLaughlin, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Scofield, Sexton, Sherman, Smith, Southmayd, Stevens, Stimat, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 85.

Noes: None.

Absent and not voting: Acher, Balgord, Burris, Doe, Emmett, Fowler, Haight, Harwood, Lovell, Manning, Metlen, Minette, Mundy, Rolph, Ryan, Spiegel, Stromnes. Total 17.

The Speaker: Eighty-five have voted "aye"; none have voted "no"; House Bill No. 359 has passed the House.

House Bill No. 283, introduced by Goodwin et al, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Ballard, Bertsche, Boone, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cus-

ick, Doe, Ecton, Egan, Emmons, Ewing, Foor, Goodwin, Gordon, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harlen, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, McCausland, McLaughlin, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Scofield, Sexton, Sherman, Stevens, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 81.

Noes: Gray, Nelson, Southmayd. Total 3.

Absent and not voting: Acher, Balgord, Burris, Emmett, Fowler, Haight, Harwood, Johnson, Lovell, Manning, Metlen, Minette, Moss, Mundy, Ryan, Smith, Spiegel, Stromnes. Total 18.

The Speaker: Eighty-one have voted "aye"; three have voted "no"; House Bill No. 283 has passed the House.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Joffray of Jefferson in the Chair. Committee arose.
House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following: All amendments referring to the printed bills unless otherwise specified.

That House Bill No. 243 do pass.

That House Bill No. 276 do pass.

That House Bill No. 267 do pass.

That House Bill No. 147 be passed for the day.

That the enacting clause in House Bill No. 227 be stricken.

That House Bill No. 352 do pass.

That Substitute House Bill No. 46 be amended as follows: Amend Section 1 by striking out in line 5, the word "one" and substitute therefor the word "two"; in line 7, strike out the words and figures "four (4)" and insert in lieu thereof the words and figures "two (2)" and strike out after the word "year" in line 16 the remainder of the section; and as amended do pass.

JOFFRAY, Chairman.

On motion of Joffray, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion, the Senate this day concurred in the House amendments to Senate Bill No. 6.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Governor this day advised the Senate that he had approved Senate Bills Nos. 19 and 42.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended by the Senate, title and history agreed to, and bills are herewith returned to the House for concurrence in Senate amendments:

H. B. No. 53, by Committee on Horticulture.

H. B. No. 64, by Burris.

H. B. No. 91, by Burris, Groene, Metlen, Southmayd, Holding, Padbury, Byrne, Boone and Mitchell.

H. B. No. 100, by Judiciary Committee.

H. B. No. 103, by Judiciary Committee.

H. B. No. 118, by Metlen.

H. B. No. 160, by Judiciary Committee on request.

H. B. No. 182, by Groene, by request.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and are herewith returned to the House:

H. B. No. 55, by Horticulture Committee. H. B. No. 139, by Lemmer, H. B. No. 163, by Judiciary Committee, by request, H. B. No. 202, by Toomey.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence:

S. B. No. 87, by Sparling.

S. B. No. 91, by Holt.

S. B. No. 109, by Holt and Delaney.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Sub. H. B. No. 51, by Committee on Mines and Mining, was this day recommended for non-concurrence by the Senate Committee on Labor and Capital, report adopted, and bill is herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that further messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Taxation: That S. B. No. 126 be amended by striking out in Section 2, line 14, the word, "three", and inserting in lieu thereof the word and figure, "five (5)"; and as so amended, do pass.

Taxation: That S. B. No. 89 be amended in Section 1, line 27, by striking out the period at the end of the section after the word, "required", and adding: "; provided, that every person required to file a return under the provisions of this Act shall in any event pay a minimum tax of not less than the sum of One Dollar (\$1.00)." And as amended, do pass.

Taxation: That S. B. No. 139 do pass.

Judiciary: That S. B. Nos. 92, 106, 107 do pass.

Majority of Judiciary Committee recommend that S. B. No. 116 do not pass, report adopted.

Stockgrowing and Grazing: That S. B. No. 129 do pass.

Labor and Capital: That Sub. H. B. No. 51 be not concurred in.

Printing: Reported S. B. Nos. 57, 112 and 118 returned from the printer correctly printed.

Engrossing: Reported S. B. Nos. 64, 87, 91 and 109 correctly engrossed.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on Geenal File, respectfully report and recommend as follows:

That S. B. No. 55 be amended in Section 6 by striking out in line 2 the figures, "1936", and inserting in lieu thereof the figures "1935", and as so amended, recommend said S. B. No. 55 do pass.

That S. B. No. 90 be amended in the title by striking out in line 4, printed bill, the word, "foreclosure," and inserting in lieu thereof the word, "foreclosures."

Be amended in Section 3 by striking out in line 2, printed bill, the word "of", being the first word in said line, and inserting in lieu thereof the word, "or", and by inserting at the end of line 1, after the word "execution," the word "debtor".

And as so amended, recommend said S. B. No. 90 do pass.

That consideration of S. B. No. 103 be passed for the day.

That consideration of Sub. H. B. No. 11 be passed for the day.

That H. B. Nos. 53 and 55 be concurred in.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Oils and Leases: Recommended that S. B. No. 58 be amended by striking therefrom sub-section (c) of the original bill and including the following as Section 2:

"The State Board of Equalization shall, under the provisions of Rules and Regulations issued by said board collect a tax equivalent to the lawful tax on gasoline upon any other volatile liquid, of less than forty-six degrees (46 degrees) Taglianbes-Baume gravity test, when actually sold or used to produce motor power to propel motor vehicles upon public highways or streets within the State of Montana."

And by renumbering Section 2 of the original bill as Section 3 of the amended bill.

And as so amended, recommend same do pass.

Fairs and Expositions: That H. B. No. 180 be concurred in.

Counties and Towns: That S. B. No. 105 do not pass.

That S. B. No. 131 do not pass.

That S. B. No. 71 do not pass.

That S. B. No. 142 do not pass.

That S. B. No. 96 be amended in Section 7, line 11, after the word "consolidation" by removing the period and adding the words "and shall give a bond in the same amount as would have been required of such officer"; and as amended, do pass.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time and referred to committees:

S. J. R. No. 6, by Pauline, Campbell, Delaney and Holt: A Resolution memorializing the Congress of the United States to repeal the fourth section of the Interstate Commerce Act, or to amend same, as proposed by the Pettengill Bill, H. R. 3263, introduced in the House of Representatives at the present session of Congress. To Federal Relations.

S. B. No. 150, by Anderson, Armstrong, Hammond, Sibbert, Carroll, Kelsey, Ekegren, Kalberg, Angvick, Lamp, Plumer, Putnam, Carey, Nass, Baker, Benjamin, Blankenbaker, Colbo, Garrison and Hollenback: A Bill for an Act entitled: "An Act to amend Section 378 of the Revised Codes of the State of Montana relating to the reporting of decisions by the Justices of the Supreme Court and the salary for such services." To Judiciary.

S. B. No. 151, by Garrison, Holt and Sparling: A Bill for an Act entitled: "An Act creating the electrification authority of Montana for the purpose of promoting and encouraging the fullest possible use of electric energy in the state by making electric energy available to inhabitants of the state at the lowest cost consistent with sound economy and prudent management; authorizing the authority to buy, sell and distribute electric energy and to construct or otherwise acquire a system or systems for the transmission and distribution of electric energy to carry out the purposes of this Act; providing for the rights, powers and duties of the authority; authorizing and regulating the issuance of bonds by the authority; providing for the payment of such bonds and the rights of the holders thereof; and declaring an emergency." To State Boards and Offices.

S. B. No. 152, by Holt: A Bill for an Act entitled: "An Act to amend Section 5084, Revised Codes of Montana, 1921, relating to the payment of judgments recovered against cities and towns." To Counties and Towns.

S. B. No. 153, by Benjamin and Nass: A Bill for an Act entitled: "An Act to prohibit the conducting of entertainment at, in, about or adjacent to any beer hall, room, establishment or premises in which beer is sold under the laws of Montana; defining the terms used in this Act; providing penalties for the violation of this Act, and repealing all Acts in conflict herewith." To Public Morals.

S. B. No. 154, by Holt: A Bill for an Act entitled: "An Act abolishing liability of cities on account of defects in or unsafe conditions of streets and public ways." To Counties and Towns.

S. B. No. 155, by Holt: A Bill for an Act entitled: "An Act to permit the State of Montana and the counties of such state to cooperate with the State Water Conservation Board in the construction of water conservation

projects within the State of Montana, and to permit the inclusion in such projects of state lands, school lands, and lands owned by counties, and subjecting such lands to certain obligations." To Water Conservation and Flood Control.

S. B. No. 156, by Meyer, by request: A Bill for an Act entitled: "An Act to amend Section 1475 of Chapter 113 of the Revised Codes of Montana, 1921, relating to application for admission to school—service of copies." To Education.

S. B. No. 157, by Meyer: A Bill for an Act entitled: "An Act to amend Section 590 of the Revised Codes of the State of Montana, 1921, relating to the appointment of judges of election." To Elections and Privileges.

S. B. No. 158, by Meyer: A Bill for an Act entitled: "An Act to authorize Boards of County Commissioners to take assignments of rent due to property owners under certain conditions in satisfaction for taxes due from said property owners." To Counties and Towns.

S. B. No. 159, by Oliver: A Bill for an Act entitled: "An Act to amend Section 2 of Chapter 12 of the Acts of the Twenty-third Legislative Assembly of 1933, relating to nepotism." To Judiciary.

S. B. No. 160, by Committee on Oil and Leases: A Bill for an Act entitled: "An Act to amend Section 2, Chapter 18, of the Extraordinary Session Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933-34, to remove the limitation on the period of time during which the Oil Conservation Board of the State of Montana shall be in existence." To Oils and Leases.

S. B. No. 161, by Campbell: A Bill for an Act entitled: "An Act to regulate the deposit of public moneys of counties, cities and towns and authorizing the acceptance of cashier's checks of Federal Reserve Banks and as security for such deposits." To Counties and Towns.

S. B. No. 162, by Meyer: A Bill for an Act entitled: "An Act to repeal Chapter 40 of the Session Laws of the Twenty-third Extraordinary Session of 1933 and 1934 amending Sections 2 and 28 of Chapter 181 of the Laws of Montana 1933, regulating rate of personal income tax to be paid and distribution of said tax." To Taxation.

S. B. No. 163, by Angvick and Kalberg: A Bill for an Act entitled: "An Act to create a Milk Board, to exercise such supervision and control pursuant to the provisions of this Act; to provide for the manner of selecting the members of said Milk Control Board and fixing their compensation; to prescribe and define the powers and duties thereof; to provide penalties for violation of this Act; to provide for licensing and collection of fees and the appropriation of the proceeds thereof for the purposes of this Act, and declaring an emergency." To Dairies and Dairying.

S. B. No. 164, by Sparling, Wass, Holton and Carroll: A Bill for an Act entitled: "An Act to amend Section 2 of Chapter 51 of the Session Acts of the Twenty-first Legislative Assembly of Montana of 1929, relating to expenditure by counties for the acquisition and maintenance of parks for public camping and recreational purposes." To Counties and Towns.

S. B. No. 165, by Coburn: A Bill for an Act entitled: "An Act relating to the disposal of royalties and rentals hereafter received by the state from oil, gas and other mineral rights which have been reserved by the state from contracts and conveyances made prior to February 26, 1929 of lands acquired by the state through mortgage foreclosures, and providing for the payment of six and one-fourth per cent (6¼%) of such royalties or rentals to the purchasers of such lands." To Oils and Leases.

S. B. No. 166, by Committee on Stockgrowing and Grazing: A Bill for an Act entitled: "An Act to amend Section 3685 of the Revised Codes of Montana of 1921, as last amended by Section 2 of Chapter 161 of the Session Acts of the Twenty-second Legislative Assembly of Montana of 1931 relating to fishing and hunting licenses, the fees to be paid for the same, and powers thereunder." To Fish and Game.

S. B. No. 167, by Oliver, Blankenbaker and Murphy: A Bill for an Act entitled: "An Act to provide for the destruction of old worthless reports, papers and records that have served their purpose and are substantiated by permanent records, in state, county, city and town offices under certain restrictions." To Counties and Towns.

S. B. No. 168, by Meyer, Page and Coburn: A Bill for an Act entitled: "An Act to provide for the sale of beer by duly licensed retail vendors of alcoholic liquors, the apportionment of license fees collected, and to amend Section 4 of Chapter 106 of the Laws of 1933, Regular Session, defining the alcoholic content of beer." Judiciary.

S. B. No. 169, by Kilduff and Holt: A Bill for an Act entitled: "An Act to authorize cities, towns and incorporated villages and the state, its subdivisions and agencies to cooperate with housing authorities and the United States of America by rendering services, conveying or leasing property, and providing for streets, roads and other facilities; to require any city of the first or second class located within a housing authority to make an appropriation for the first year's administrative expenses of such authority; to authorize cities, towns and incorporated villages located within housing authorities; and to declare an emergency requiring that this Act take effect from the date of its passage." To Relief and Social Welfare.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motions were this day made, duly seconded and carried:

On motion, Sub. H. B. No. 11 was taken from General File and re-referred to the Judiciary Committee.

On motion, the Senate reconsidered its action of yesterday in postponing indefinitely action on S. B. No. 115, and on motion, S. B. No. 115 was re-referred to the Judiciary Committee.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Coburn: A Bill for an Act entitled: "An Act to amend Sections 2382 and 2383 of the Revised Codes of Montana of 1921, as amended by Chapter 150 of the Laws of 1923 and by Chapter 186 of the Laws of 1925 and by Initiative Measure No. 31, Laws of 1927, and as amended by Chapter 6 of the Session Laws of 1931; and also to amend Section 3, Chapter 19, Laws of 1927; being Sections 2396.2 and 2396.3 respectively, of the supplement to the Revised Codes of Montana 1923-1927, as amended by Chapter 92 of the Laws of 1929, and as amended by Chapter 6 of the Session Laws of 1931, requiring all persons, co-partnerships, firms, associations, joint stock companies, syndicates and corporations engaged in or carrying on the business in this state of selling, handling, or using gasoline, to pay to the State Board of Equalization certain license taxes for

engaging in, and carrying on such business in this state; fixing the amount of such license taxes and providing a method for the assessment and collection thereof."

By Shannon, by request: A Bill for an Act entitled: "An Act to amend Section 11371 of the Revised Codes of Montana of 1921, defining grand larceny."

By Sullivan, Oliver, Hollenback, Meyer, Church, Larson, Kilduff and Coburn: A Bill for an Act entitled: "An Act authorizing the Montana Liquor Control Board to issue 'hotel licenses'; to permit the sale of liquor to be consumed on the premises; defining the terms 'hotel, restaurant, cafe and cafeteria' and other terms used in the Act; fixing the amount of license fees therefor; prescribing the hours during which liquors may be sold; prohibiting the sale of liquors to minors, and other designated persons; authorizing the Montana Liquor Control Board to prescribe rules and regulations under, and by which, the hotel license may be conducted; prohibiting the sale or traffic in any liquors other than purchased at State Liquor Stores, and providing for the issuance of permits to hotels to purchase supplies from said liquor stores and providing penalties for the violation thereof."

By Lamp: A Bill for an Act entitled: "An Act authorizing the employment of a permanent legislative secretary; defining the powers and duties of such officer, and fixing his term of office and compensation."

By Lamp: A Bill for an Act entitled: "An Act relating to the time for filing a claim with the employer, the insurer, or the Industrial Accident Board, under the Workmen's Compensation Act, in case of personal injury to any public officer connected with or engaged in a hazardous occupation, and in case of personal injury to a person who, when such injury occurred was a public officer connected with or engaged in a hazardous occupation."

By Plank, Sparling, Holton, Kilduff, Angvick and Kelsey: A Bill for an Act entitled: "An Act relating to the payment for state lands under certificate of purchase and the reinstatement of cancelled certificates of purchase in whole or in part."

By Plank, Sparling, Holton, Kilduff, Angvick, and Kelsey: A Bill for an Act entitled: "An Act relating to state lands; providing for the resale and purchase of such lands upon the cancellation of certificates of purchase; assuring certain preference rights to the original purchaser in the event of a resale; authorizing reappraisal of lands by the State Board of Land Commissioners in case of a resale; specifying the terms and conditions of resale contracts and repealing Section 89 of Chapter 60 of the Session Acts of the Twentieth Legislative Assembly of Montana of 1927, as amended by Chapter 101 of the Session Acts of the Twenty-first Legislative Assembly of Montana of 1929 and all Acts and parts of Acts in conflict herewith."

By Benjamin and Groff, by request: A Bill for an Act entitled: "An Act to prohibit and declare void certain contracts, conditions, agreements and understandings in connection with the sale or contract to sell motor vehicles by manufacturers or distributors thereof, and prohibiting the giving or payment of anything or service of value by any manufacturer or distributor of motor vehicles to anyone engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles, and the acceptance or receipt thereof by any such person when competition in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles may be lessened or eliminated, or a monopoly created or tended to be

created, and prohibiting from doing business in this state anyone engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sale contracts, chattel mortgages or leases on motor vehicles who so accepts or receives anything or service of value from any manufacturer or distributor of motor vehicles, and prescribing penalties, forfeitures and recoveries for the violation thereof."

By Putnam: A Bill for an Act entitled: "An Act authorizing County Commissioners to deed county lands to the state for state park purposes."

By Campbell, O'Day and Larson: A Bill for an Act entitled: "An Act relating to payments on bonds and warrants of special improvement districts, and prescribing a period of limitation for accepting or rejecting the provisions thereof."

By Kelsey: A Bill for an Act entitled: "An Act to amend Section 17 of Chapter 109 of the Session Laws of the Twenty-second Legislative Assembly of Montana of 1931 as last amended by Section 4 of Chapter 56 of the Session Laws of the Twenty-third Legislative Assembly of Montana of 1933. the same being an Act providing for the adoption of the managerial form of county government."

By Arnold, Church, Larson, Coburn, Danielsen, Campbell, Stevens, Liess, Groff, Blankenbaker, Thien, Melton, Parkin, Harris: A Bill for an Act entitled: "An Act to amend Sections 3779, 3782 and 3783 of the Revised Codes of the State of Montana of 1921 and repealing Sections 3780, 3784, 3786, 3788 and 3790 of the Revised Codes of the State of Montana of 1921 and Section 3787 of the Revised Codes of Montana of 1921 as amended by Chapter 90 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana of 1927, abolishing the Board of Railroad Commissioners of the State of Montana and providing that the duties of said board shall be performed by the State Board of Equalization of the State of Montana."

By Church, Campbell, Kilduff, Arnold, Delaney, Oliver and Coburn: A Bill for an Act entitled: "An Act to amend Section 624 of the Revised Codes of Montana of 1921; and to repeal Sections 631, 633, 634, 635, 637, 638, 646, 647, 650, 653, 654, 655, 656, 657, 658, 659, 660, 661, 664, 665, 666, 667, 668, 669, 670 of the Revised Codes of Montana of 1921; and to repeal Section 632 of the Revised Codes of Montana of 1921; as amended by Chapter 3 of the Session Laws of the Twentieth Legislative Assembly of 1927; and to repeal Section 639 of the Revised Codes of Montana of 1921, as amended by Chapter 7 of the Session Laws of the Twentieth Legislative Assembly of 1927; and to repeal Section 640 of the Revised Codes of Montana of 1921, as amended by Chapter 133 of the Session Laws of the Eighteenth Legislative Assembly of 1923, and as further amended by Chapter 125 of the Session Laws of the Twentieth Legislative Assembly of 1927; and to repeal Section 641, 644 and 645 of the Revised Codes of Montana of 1921, as amended by Chapter 133 of the Session Laws of the Eighteenth Legislative Assembly of 1923, and to repeal Sections 648 and 649 of the Revised Codes of Montana of 1921, as amended by Chapter 12 of the Session Laws of the Nineteenth Legislative Assembly of 1925; and to repeal Section 651 of the Revised Codes of Montana of 1921, as amended by Chapter 133 of the Session Laws of the Eighteenth Legislative Assembly of 1923, and as further amended by Chapter 14 of the Session of the Twentieth Legislative Assembly of 1927, and as further amended by Chapter 67 of the Session Laws of the Twenty-first Legislative Assembly of 1929; and to repeal Section 652 of the Revised Codes of Montana of 1921, as amended by Chapter 133 of the Session Laws of the Eighteenth Legislative Assembly of 1923; and to repeal Section 662 of the Revised Codes of Montana of 1921, as amended by Chapter 98 of the Session Laws of the Twentieth Legislative Assembly of 1927, and as further amended by Chapter 34 of the Session Laws of the Twenty-first Legislative Assembly of 1929; all relat-

ing to primary elections; and to repeal all Acts and parts of Acts in conflict herewith, and providing further for a referendum of said measure to the people at the next general election."

By Oliver: A Bill for an Act entitled: "An Act to provide for the destruction of old worthless reports, papers and records that have served their purpose and are substantiated by permanent records in state, county, city and town offices under certain restrictions."

By Sparling, Plank and Holt: A Bill for an Act entitled: "An Act providing for the acquisition, purchase, construction, reconstruction, improvement, betterment, extension, operation and maintenance of revenue-producing undertakings by any city and town, however, organized; authorizing and regulating the issuance of revenue bonds for financing such undertakings; and providing for the payment of such bonds and the rights of holders thereof."

By Page: A Bill for an Act entitled: "An Act providing that eight (8) hours shall constitute a day's labor for all persons employed in the operation of a tourist camp; defining the terms used in this Act and providing penalties for the violation of this Act."

By Special Investigating Committee: A Bill for an Act entitled: "An Act to amend Sections 10, 11, 12, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 35, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102 and 103 of Chapter 105 of the Twenty-third Legislative Assembly of the State of Montana relating to liquor control."

By Carroll: A Bill for an Act entitled: "An Act to permit counties which are indebted beyond the limit provided by Section 5 of Article XIII of the Constitution to operate on a cash basis."

By Kilduff and Holt: A Bill for an Act entitled: "An Act to declare the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and/or projects to provide dwelling accommodations for persons of low income; to provide for the creation of such housing authorities; to define the powers and duties of housing authorities and to provide for the exercise of such powers, including acquiring property by purchase, gift, or eminent domain, and including borrowing money, issuing revenue and credit bonds and other obligations, and giving security therefor; to confer remedies on obligees of housing authorities; to provide that the bonds of the authority shall be legal investments; to provide that housing authorities, their property and securities shall be tax exempt; and to declare an emergency requiring that this Act shall take effect from the date of its passage."

By Kilduff and Holt: A Bill for an Act entitled: "An Act to authorize cities, towns and incorporated villages and the state, its subdivisions and agencies to cooperate with housing authorities and the United States of America by rendering services, conveying or leasing property, and providing for streets, roads and other facilities; to require any city of the first or second class located within a House Authority to make an appropriation for the first year's administrative expenses of such authority; to authorize cities, towns and incorporated villages located within Housing Authorities to make grants and lend money to such Housing Authorities; and to declare an emergency requiring that this Act take effect from the date of its passage."

By Parkin: A Bill for an Act entitled: "An Act to amend Section 1638 of the Revised Codes of Montana of 1921, relating to the decision of County Commissioners on a petition for establishing, changing or discon-

tinuing highways and designating the method of giving notice to interested parties."

By Sullivan: A Resolution requesting the Congress of the United States to enact the necessary legislation to restore the United States Assay Office at the City of Helena, Montana."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that S. B. No. 64 this day failed of passage on Third Reading.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced in the Senate, read first and second time, and referred to committees:

- H. B. No. 76—To Counties and Towns.
- H. B. No. 144—To State Boards and Offices.
- H. B. No. 192—To Counties and Towns.
- H. B. No. 206—To Judiciary.
- H. B. No. 209—To State Boards and Offices.
- H. B. No. 235—To State Boards and Offices.
- H. B. No. 236—To Agriculture.
- H. B. No. 237—To Agriculture.
- H. B. No. 264—To Counties and Towns.
- Sub. H. B. No. 204—To Judiciary.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

House recessed for thirty minutes. House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, beg leave to report the following correctly printed:

House Bills Nos. 380 and 427.

House Joint Memorial No. 10 and Substitute House Bill No. 66.

McCAUSLAND, Chairman.

Without objection, report adopted.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following were introduced, read first and second time and referred to committees:

Senate Bill No. 87, introduced by Sparling: A Bill for an Act entitled: "An Act to authorize the County Commissioners and the County Clerk to execute on behalf of the county, a release of property described in any seed grain contract executed under the State Drought Relief Act of 1918, Sections 4640 to 4679, inclusive, R. C. M., 1921, in cases where the recovery of the amount due under such contract has been barred by the statutes of limitation, and repealing all Acts in conflict herewith." Referred to Committee on Townships and Counties.

Senate Bill No. 91, introduced by Holt: A Bill for an Act entitled: "An Act relating to tax levies made and fixed by Boards of County Commissioners, City and Town Councils and Commissions, and other boards and commissions authorized by law to make and fix tax levies." Referred to Committee on Affairs of Cities.

Senate Bill No. 109, introduced by Holt and Delaney: A Bill for an Act entitled: "An Act validating, ratifying, approving and confirming elections heretofore held by public bodies of the State of Montana authorizing the creation of indebtedness and the issuance of bonds to finance public works projects." Referred to Committee on Water Conservation and Flood Control.

Substitute for Substitute Senate Bill No. 8, introduced by the Taxation Committee: A Bill for an Act entitled: "An Act relating to the effect to be given to the valuation of property of public utilities for taxation purposes in determining the valuation of the same property for rate-making purposes." Referred to Committee on Revenue and Taxation.

Senate Bill No. 95, introduced by Blankenbaker: A Bill for and Act entitled: "An Act requiring the State Board of Land Commissioners to give credit on all grazing leases of state lands to lessees who paid the rentals for the year beginning March 1, 1933, at the rate provided by law before the effective date of Chapter 42 of the Session Acts of the Twenty-third Legislative Assembly of 1933, for an amount equal to the reduction in such rates effected by said Act." Referred to Committee on State Lands.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

CONSIDERATION OF GENERAL ORDERS

Joffray of Jefferson in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following: Amendments referring to printed bills, unless otherwise specified.

That Substitute House Bill No. 12 be amended as follows: Amend Section 1 by striking out in line 3 the comma and insert in lieu thereof a semi-colon, after the word "districts" and insert therein the following: "except horse herd districts created by Chapter 119 of the Session Laws of 1931"; and amend title by inserting in line two thereof, after the word "thereof" the following: ", except horse herd districts created by Chapter 119 of the Session Laws of 1931"; amend Section 1, by striking out in line 8, the word "shall" and inserting in lieu thereof the words "may in the discretion of the court" and adding at the end of line 8, the following "provided that all owners and operators of land in actual cultivation, located in such herd districts shall be given thirty (30) days notice by mail, by the court of any such hearing in such court relative to the dissolution of any herd district"; amend Section 2 by striking out in line 12 the word "shall" and inserting in lieu thereof the words "may in his discretion" and adding at the end of the section the following: "provided, that no existing herd district shall be dissolved during the months of March, April, May, June, July, August and September of any year"; amend Section 2 by striking out in line 3 the word "judicial" and inserting in lieu thereof the word "herd"; and as amended, do pass.

That Substitute House Bill No. 39 be amended as follows: Amend Section 1 by striking out in line 3, the word "or" and inserting in lieu thereof the word "of" and as amended, do pass.

That Substitute House Bill No. 40 do pass.

JOFFRAY, Chairman.

On motion of Joffray, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that the Chief Clerk be authorized and instructed to correct the Journal to show that Substitute House Bill No. 12 was introduced by the Committee on Livestock and Public Ranges.

It was moved by Boone, duly seconded and carried, that the House reconsider its action on House Bill No. 405.

It was moved by Boone, duly seconded and carried, that House Bill No. 405 be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following considered correctly engrossed: House Bills Nos. 267 and 243.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bills Nos. 352 and 276.

EWING, Chairman.

Without objection, report adopted.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Monday, 9:00 o'clock A. M., February 18th, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FORTY-THIRD DAY

House of Representatives,
Helena, Montana, February 18, 1935.

House convened, pursuant to adjournment, at 9:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by Chaplain.

A quorum was present.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the forty-second legislative day, find the same to be correct.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 275, entitled: "An Act appropriating money to pay a judgment of the Supreme Court of Montana in the sum of Five Thousand Three Hundred and Twenty-seven Dollars and Five Cents, with interest thereon from April 27, 1933, at the rate of six per cent per annum until paid, rendered and entered on April 27, 1933, against the State of Montana," respectfully report as follows: That House Bill No. 275 do pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 241, entitled: "An Act to appropriate money for the payment of the claim of Ford E. Hovey and Matt H.

Tschirgi, as executors of the last will and testament of Frank M. Heinrich, deceased, for the repayment of excess inheritance tax paid by the said executors," respectfully report as follows: That House Bill No. 241 do pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 81, entitled: "An Act appropriating money in satisfaction of the claim of Dale Robinson for damages to his car resulting from the theft of said car by the inmates of the school for deaf and blind, and directing the State Auditor to draw his warrant and out of any fund or funds not otherwise appropriated in settlement of said claim upon payment of said warrant," respectfully report as follows: That House Bill No. 81 do not pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 25, entitled: "An Act to appropriate money for the payment of a certain deficiency claim against the State of Montana of Thomas Riis for compensation and services as custodian of the Montana State Fair Grounds and buildings at the agreed wage of One Hundred Dollars per month being for services so rendered by said claimant from the first day of January, 1933, to and including the first day of July, 1933," respectfully report as follows: That House Bill No. 25 do pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 15, entitled: "An Act appropriating money for the payment of the claim of Catharine Crossland Smith as compensation for expenses incurred by her husband, the late Robert B. Smith, while in the performance of his duties as Governor of the State of Montana," respectfully report as follows: That House Bill No. 15 be amended as follows: In line 12 thereof the words and figures "Two Thousand Four Hundred Dollars (\$2,400.00)" be stricken out and that there be inserted in lieu thereof, the words and figures "One Thousand Eight Hundred Dollars (\$1800.00)"; in lines 18 and 19 thereof, the words and figures "Two Thousand Four Hundred Dollars (\$2400.00)" be stricken out and that there be inserted, in lieu thereof, the words and figures "One Thousand Eight Hundred Dollars (\$1800.00)"; in line 25 and 26 thereof the words and figures "One Hundred Dollars (\$100.00)" be stricken out and that there be inserted, in lieu thereof, the words and figures "Seventy-five Dollars (\$75.00)"; and that the bill as amended do pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 219, entitled: "An Act appropriating money for the payment of the claim of Justin D. Lovely as indemnity for loss of time suffered by him as the result of tuberculosis contracted by him in the service of the State of Montana while an employee at the State Tuberculosis Sanitarium, at Galen, Montana, and providing for the method of paying the same; and appropriating money for the payment of the claim of Justin D. Lovely for money due him for services rendered to the State of Montana as stockman and farmer at the State Tuberculosis Sanitarium, at Galen, Montana, and providing for the method of paying the same," respectfully report as follows: That House Bill No. 219 do not pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 123, entitled: "An Act to appropriate money for the refund of excessive inheritance tax collection by the State of Montana from Robert Duncan Forbes and directing the State Auditor to draw his warrants upon the General Fund and the Common School Equalization Fund of the State of Montana for payment thereof," respectfully report as follows: That House Bill No. 123 do pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 69, entitled: "An Act appropriating money for the payment of claim of Andy Briscoe as compensation or as a pension and for an artificial limb and expenses incident to fitting artificial limb, due to injuries received while on duty in the service of the State of Montana as a private in the service company, 163rd, infantry, Montana National Guard," respectfully report as follows: That House Bill No. 69 be amended as follows: In lines 2, 3 and 4 of the title the words "and for an artificial limb and expenses incident to fitting artificial limb, due to" be stricken out and that there be inserted, in lieu thereof, the word "for"; in lines 8 and 9, the words and figures "One Thousand Eight Hundred and Ten Dollars (\$1810.00)" be stricken out and that there be inserted in lieu thereof the words and figures "One Thousand Five Hundred Sixty Dollars (\$1560.00)"; in lines 12 and 13, the words "and for an artificial limb and expenses incident to fitting artificial limb, due" be stricken out; in lines 17 and 18, the words "and artificial limb and expenses incident to fitting artificial limb" be stricken out; in lines 20, 21, 22, 23 and 24, the words "authorized and directed to draw his warrant on the State Treasurer, payable to the said Andy Briscoe in the sum of Two Hundred and Fifty Dollars (\$250.00), as a lump sum payment for the artificial limb and expenses incident to fitting artificial limb"; that there be added, after line 3 of Section 4 the following: "Section 5. Appropriations herein above provided for shall be deemed and held valid notwithstanding the provisions of the Budget Act"; and that the bill as amended, do pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Fowler, duly seconded and carried, that House Bills Nos. 229, 231, 230 and 311 be re-arranged on the board for General Orders to come in the following order: House Bills Nos. 229, 231, 230 and 311.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following bill was introduced, read first and second time at length and referred to the Committee on Appropriations:

House Bill No. 533, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate money for the operation and maintenance of certain boards, departments, state institutions and state offices for the period ending June 30, 1935, it having been found that the appropriations provided by the Twenty-third Legislative Assembly were insufficient for the above purposes."

It was moved by Byrne, duly seconded and carried, that third reading of House Bills be passed temporarily.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Brennan of Richland in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders recommend the following:

That Senate Amendments to House Bill No. 99 be concurred in.

That Senate Amendments to House Bill No. 80 be concurred in.

That Senate Amendments to House Bill No. 127 be concurred in.

That Senate Amendments to House Bill No. 178 be concurred in.

That Senate Amendments to House Bill No. 64 be not concurred in and that a conference committee be appointed and a like committee be requested from the Senate.

That House Bill No. 183 do pass.

That House Bill No. 147 be amended as follows: Amend Section 2 by striking out in line 5 the word "ten" and inserting in lieu thereof the word "five"; amend Section 3 by inserting in line 5 after the word "county" a comma and immediately thereafter the words "every established school district within the county"; amend Section 5 by striking out in line 2 and 3 "which enrolled on an average of less than ten pupils and inserting in lieu thereof the words "with an original enrollment of less than five pupils" and that same do pass as amended.

BRENNAN, Chairman.

On motion of Brennan, report adopted.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, beg leave to report the following correctly printed: House Bills Nos. 245, 374, 200, 372; and Substitute House Bills Nos. 28 and 255.

McCAUSLAND, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: Substitute House Bills Nos. 46, 12 and 39.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following considered correctly engrossed: Substitute House Bills Nos. 158, 37, 40 and 279.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 400, entitled: "An Act relating to the disposal of outlaw fish, taken from the rivers, streams and lakes of the State of Montana, by net, under the supervision of the members of the Fish and Game Commission or its employees," respectfully report as follows: That House Bill No. 400 be referred to the Committee on Public Health and Sanitary Affairs.

LEMMER, Chairman.

On motion of Lemmer, report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 297, entitled: "An Act to amend Section 3722, Revised Codes of Montana, 1921, as amended by Section 19, Chapter 59 of the Laws of the Twentieth Legislative Assembly of the State of Montana, relative to the protection and trapping of beaver," respectfully report as follows: That House Bill No. 297 do not pass.

LEMMER, Chairman.

On motion of Lemmer, report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 355, entitled: "An Act to amend Sections 3651 and 3652 of the Revised Codes of Montana, 1921, relating to the members of the State Fish and Game Commission; providing for the division of the State of Montana into Commissioner Districts, the method of nominating and electing said commissioners; their terms of office, and the filling of vacancies; providing for the qualification of said commissioners, the organization of the board, the holding of meetings and the transaction of business; providing that present board to continue in office and present law to remain in effect until the election and qualification of the new board and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 355 do pass.

LEMMER, Chairman.

On motion of Lemmer, report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 411, entitled: "An Act to amend Section 3694, Revised Codes of Montana, 1921, as amended by Chapter 59, Session Laws of the Twentieth Legislative Assembly, 1927, as further amended by Chapter 162, Session Laws of the Twenty-second Legislative Assembly, 1931, relating to restrictions of manner of taking and possessing fish and game and power of Commission relating thereto," respectfully report House Bill No. 411 without recommendation.

LEMMER, Chairman.

On motion of Lemmer, report adopted.

Mr. Speaker: We, your Committee on Apportionment and Representation, having had under consideration House Bill No. 374, entitled: "An Act to amend Sections 44 and 45, Revised Codes of Montana, 1921, relative to the apportionment of the membership of the House of Representatives, said amendment providing for a reapportionment based on the 1930 census on a ratio of one representative for each eight thousand population, or major fraction thereof," respectfully report as follows: That House Bill No. 374 do pass.

CONNER, Chairman.

On motion of Conner, report adopted.

Mr. Speaker: We, your Committee on Railroads and Transportation, having had under consideration House Bill No. 315, entitled: "An Act to amend Section 6521 of the Revised Codes of Montana, 1921, as amended by Chapter 7 of the Laws of the Twenty-first Legislative Assembly of Montana, concerning regulations affecting railroad corporations operating within the State of Montana," respectfully report as follows: That House Bill No. 315 do not pass.

KATHAN, Chairman.

On motion of Joffray, report adopted.

Mr. Speaker: We, your Committee on Railroads and Transportation, having had under consideration House Bill No. 268, entitled: "An Act to amend Section 3842 of the Revised Codes of Montana of 1921, relating to

the maintenance of signal bells at railroad crossings," respectfully report as follows: That House Bill No. 268 do not pass.

KATHAN, Chairman.

On motion of Joffray, report adopted.

Mr. Speaker: We, your Committee on Railroads and Transportation, having had under consideration House Bill No. 234, entitled: "An Act regulating the operation of railroads within the State of Montana; providing for inspection of tracks, limiting the amount of track that can be inspected in one day by employees; and providing penalties for the violation of this Act," respectfully report as follows: That House Bill No. 234 be amended as follows: By adding a new sentence after the period following the word "hours" in line 7 of Section 1, as follows: "Providing, however, that on branch lines on which trains are not operated daily, inspection need be made only on days when trains are operated"; and by adding a new sentence after the period following the word "hours" in line 11 of Section 1, as follows: "Providing, however, that on branch lines on which trains are not operated daily, inspection need be made only on days when trains are operated"; and by striking out in line ten (10) of Section 1, the word "fifteen" and inserting in lieu thereof, the word "twenty-five (25)"; and as amended do pass.

KATHAN, Chairman.

On motion of Joffray, report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 316, entitled: "An Act providing for reimbursing the United States Government for the expense of emergency conservation work if and when, by a sale of land or products, the state derives a profit from such work," respectfully report as follows: That House Bill No. 316 do pass.

METLEN, Chairman.

On motion of Metlen, report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration Senate Bill No. 95, entitled: "An Act requiring the State Board of Land Commissioners to give credit on all grazing leases of state lands to lessees who paid the rentals for the year beginning March 1, 1933, at the rate provided by law before the effective date of Chapter 42 of the Session Acts of the Twenty-third Legislative Assembly of 1933, for an amount equal to the reduction in such rates effected by said Act," respectfully report as follows: That Senate Bill No. 95 be concurred in.

METLEN, Chairman.

On motion of Metlen, report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 29, entitled: "An Act to provide for a minimum compensation for women employed in any occupation within the State of Montana, excepting housework, and providing penalty for violation thereof," respectfully report as follows: That House Bill No. 29 do not pass but that Substitute House Bill No. 29 by Committee on Labor do pass.

MULHOLLAND, Chairman.

On motion of Mulholland, report adopted.

Mr. Speaker: We, your Committee on Public Safety, having had under consideration House Bill No. 312, entitled: "An Act relating to the presence of livestock unattended by a herder on certain highways, releasing owners and operators of motor vehicles from responsibility for damages or injuries to such livestock between one hour after sunset and one hour before sunrise; declaring such livestock to be a public nuisance; and providing that every person, whether as owner, agister, lessee, bailee,

or otherwise, having the care, custody or control of any livestock, who suffers or permits the same upon such highway during said time shall be deemed negligent and liable for damages to property or injuries to persons caused by the presence of such livestock, or for damages or injuries caused by collision of motor vehicles and such livestock, or in attempting to avoid collision; also providing that the owner or operator of such motor vehicle shall not be liable to any passenger or other person riding therein, nor to his parent or guardian, for damages or injuries arising out of such collision," respectfully report as follows: That House Bill No. 312 do not pass.

EMMETT, Chairman.

On motion of Emmett, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Lemmer, duly seconded and carried, that Senate Bill No. 49 be re-referred to Committee on Fish and Game.

It was moved by Chapman, duly seconded and carried, that the Speaker appoint a committee of five, including himself, to be known as the Stearing Committee, to arrange order of bills on General Orders and that no changes be made except by unanimous consent of such committee.

It was moved by Lasby, duly seconded, that the House reconsider its action on House Bill No. 227. Motion was lost.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF THE SAME

The following bill was introduced, read first and second time and referred to the Committee on Printing:

Substitute House Bill No. 29, introduced by Stevens: A Bill for an Act entitled: "An Act to provide for a minimum compensation for a female person employed in any occupation within the State of Montana, excepting housework and/or work performed by students and apprentices in hospitals and schools, and excepting those employed under an existing contract where the wages amount to sixteen dollars per week or more in cities and towns over fifteen thousand; fourteen dollars per week or more in cities and towns from eight thousand to fifteen thousand; and twelve dollars per week in cities and towns under eight thousand, and providing penalties for violation thereof."

THIRD READING OF HOUSE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

House Bill No. 243, introduced by Ahlgreen and Sexton, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Ballard, Brennan, Burris, Buttelman, Byrne, Chamberlain, Chapman, Connors, Cusick, Ecton, Egan, Emmons, Foor, Fowler, Goodwin, Gray, Green (Dawson), Hamilton, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Lasby, Logan, Lovell, McLaughlin, Miller (Roosevelt), Minette, Mitchell, Monahan, Moss, Mulholland, Neary, Nutting, O'Byrne, Ormsbee, Parker, Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Stimatz, Watson, Whaley, White (Judith Basin), White (Hill), Worden, Mr. Speaker. Total 60.

Noes: Acher, Balgord, Bertsche, Boone, Busch, Conner, Doe, Emmett, Ewing, Gordon, Groene (Fergus), Haight, Hall, Harlen, Joffray, Kelly, Kruse, Kuhl, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, McCausland,

Masterson, Mundy, Nelson, O'Brien, O'Connor, Padbury, Petersen (Sheridan), Ritch, Southmayd, Stevens, Stromnes, Toomey, Total 37.

Absent and not voting: Coultas, Manning, Metlen, York. Total 4.

The following passed their vote: Miller (Big Horn). Total 1.

The Speaker: 60 have voted "aye," 37 have voted "no"; House Bill No. 243 has passed the House.

House Bill No. 340, introduced by Leavitt, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Foor, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), Worden, York, Mr. Speaker. Total 91.

Noes: Nelson, Stimatz. Total 2.

Absent and not voting: Coultas, Ewing, Fowler, Harlen, Manning, Metlen, Minette, Mundy, White (Hill). Total 9.

The Speaker: 91 have voted "aye," 2 have voted "no"; House Bill No. 340 has passed the House.

Substitute House Bill No. 79, introduced by Groene, Nutting, Spiegel, Leavitt, Doe, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Ballard, Bertsche, Boone, Burris, Busch, Byrne, Connors, Doe, Egan, Emmons, Ewing, Goodwin, Groene (Fergus), Harlen, Heavlin, Joffray, Kuhl, Lasby, Leavitt, Lemmer, Lott, Lovell, McCausland, Metlen, Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Neary, Nelson, Nutting, O'Brien, O'Byrne, Padbury, Quigley, Ritch, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stromnes, Toomey, Mr. Speaker. Total 51.

Noes: Balgord, Buttelman, Chamberlain, Chapman, Conner, Coultas, Cusick, Ecton, Emmett, Foor, Fowler, Gordon, Gray, Green (Dawson), Haight, Hall, Harwood, Haugan, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Leary, Liggett, Lippard, Logan, McLaughlin, Masterson, Miller (Roosevelt), O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Rolph, Stimatz, Watson, Whaley, Worden, York. Total 44.

Absent and not voting: Brennan, Hamilton, Manning, Moss, Mundy, White (Judith Basin), White (Hill). Total 7.

The Speaker: 51 have voted "aye," 44 have voted "no"; Substitute House Bill No. 79 has passed the House.

House Bill No. 267, introduced by Leavitt, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Harlen, Harwood, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Masterson, Metlen, Milier (Roosevelt), Miller

(Big Horn), Minette, Mitchell, Monahan, Mulholland, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stromnes, Toomey, Watson, Whaley, Worden, York, Mr. Speaker. Total 88.

Noes: McLaughlin, Ritch, Stimatz. Total 3.

Absent and not voting: Brennan, Doe, Fowler, Hamilton, Haugan, Joffray, Manning, Moss, Mundy, White (Judith Basin), White (Hill). Total 11.

The Speaker: 88 have voted "aye," 3 have voted "no"; House Bill No. 267 has passed the House.

House Bill No. 352, introduced by Committee on Economy, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Ritch, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 93.

Noes: Nelson, Padbury, Toomey. Total 3.

Absent and not voting: Holding, Manning, Peterson (Valley), Rolph, Smith, White (Judith Basin). Total 6.

The Speaker: 93 have voted "aye," 3 have voted "no"; House Bill No. 352 has passed the House.

House Bill No. 276, introduced by Leavitt, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Groene (Fergus), Haight, Hall, Harlen, Harwood, Haugan, Heavlin, Hedden, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 94.

Noes: None.

Absent and not voting: Conner, Green (Dawson), Hamilton, Holding, Manning, Metlen, Rolph, White (Judith Basin). Total 8.

The Speaker: 94 have voted "aye," none have voted "no"; House Bill No. 276 has passed the House.

Senate amendments to House Bill No. 99 were concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, OByrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Galatin), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 94.

Noes: None.

Absent and not voting: Brennan, Manning, Metlen, Minette, O'Brien, Peterson (Valley), Smith, White (Judith Basin). Total 8.

The Speaker: 94 have voted "aye," none have voted "no"; Senate amendments to House Bill No. 99 have been concurred in.

It was moved by Byrne, duly seconded and carried, that the House dispense with Third Reading of House Bills temporarily.

The Speaker announced he was about to sign Senate Bill No. 6 whereupon the Clerk read title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 36 whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Brennan of Richland in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That House Bill No. 185 be amended as follows: Amend Section 1 by striking the word "Lake" in line 30; the word "Granite" in line 31; the words "Custer," "Fallon" and "Prairie" in line 33; the words "and Petroleum" in line 36 and by adding in line 33 after the word "counties" the word "Granite" and adding a comma after such word; and by adding after the word "Phillips" the words "and Lake" and as amended, do pass.

That the enacting clause be stricken in House Bill No. 229.

That the enacting clause be stricken in House Bill No. 231.

That the enacting clause be stricken in House Bill No. 230.

That House Bill No. 311 be amended as follows: Amend Section 1, line 6 by inserting after the word "against" the following: "located in any city town or county of the State of Montana" and as amended, do pass.

BRENNAN, Chairman.

It was moved by Brennan, duly seconded, that the report of the Committee of the Whole be adopted.

On Substitute motion, it was moved by Fowler, duly seconded, that House Bill No. 231 be segregated from the report of the Committee of the Whole; that a roll call be taken and the ayes and noes entered on the Journal.

A call of the House was demanded by the required number.

It was moved by Burris, duly seconded and carried, that further call of the House be dispensed with.

Whereupon, the roll call having been demanded, the motion was carried by the following vote:

Ayes: Ahlgreen, Ballard, Brennan, Burris, Busch, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Egan, Emmett, Emmons, Foor, Fowler, Gordon, Green (Dawson), Hamilton, Harwood, Hedden, Holding, Hinerman, Kathan, Kruse, Kuhl, Lasby, Leary, Lippard, Logan, Lott, Lovell, McLaughlin, Manning, Masterson, Miller (Roosevelt), Mitchell, Monahan, Mulholland, Neary, O'Brien, O'Byrne, Ormsbee, Petersen (Sheridan), Peterson (Valley), Rolph, Ryan, Sexton, Sherman, Spiegel, Stimatz, Whaley, York, Mr. Speaker. Total 54.

Noes: Acher, Anderson, Balgord, Bertsche, Boone, Buttelman, Byrne, Doe, Ecton, Ewing, Goodwin, Gray, Groene (Fergus), Haight, Hall, Harlen, Haugan, Heavlin, Joffray, Johnson, Kelly, Leavitt, Lemmer, Liggett, McCausland, Metlen, Miller (Big Horn), Minette, Moss, Mundy, Nelson, Nutting, O'Connor, Padbury, Parker, Peterson (Gallatin), Quigley, Ritch, Scofield, Smith, Stevens, Stromnes, Toomey, Watson, White (Hill), Worden. Total 46.

Absent and not voting: Southmayd, White (Judith Basin). Total 2.

The Speaker: 54 have voted "aye," 46 have voted "no"; the motion is carried.

MOTIONS AND RESOLUTIONS

It was moved by Moss, duly seconded and carried, that the House reconsider its action on House Bill No. 509.

It was moved by Moss, duly seconded and carried, that House Bill No. 509 be re-referred to the Committee on Education.

It was moved by Byrne, duly seconded and carried, that the House recess until 8:00 o'clock P. M.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 138, entitled: "An Act defining the duration of liens of mortgages upon real estate and the manner of the extension thereof, and amending Section 8267, of the Revised Codes of Montana of 1921 as amended by Chapter 104 of the Session Laws of the Twenty-third Legislative Assembly of the State of Montana of 1933," respectfully report as follows: That House Bill No. 138 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 320, entitled: "An Act relating to the time for filing a claim with the employer, the insurer, or the Industrial Accident Board, under the Workmen's Compensation Act, in case of personal injury to any public officer connected with or engaged in a hazardous occupation, and in case of personal injury to a person who when such injury occurred was a public officer connected with or engaged in a hazardous occupation," respectfully report as follows: That House Bill No. 320 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Sub-committee on Fish and Game, having had under consideration House Bill No. 295, entitled: "An Act to extend the open season for hunting elk in certain designated portions of Lewis and Clark County, and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 295 do pass.

LEMMER, Chairman.

On motion of Lemmer, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 78, entitled: "An Act to amend Section 10637 of the Revised Codes of Montana, 1921, relating to evidence of publication—what constitutes," respectfully report as follows: That Senate Bill No. 78 be concurred in.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 518, entitled: "An Act to provide for the sale of spirituous and vinous liquors at wholesale by the State of Montana; creating the Montana Liquor Control Board, and providing for the operation thereof; providing for the retail sale of such liquors by drug stores and providing for the distribution of moneys collected hereunder for schools, emergency relief, old age pensions and other purposes and validating any action of the Montana State Liquor Control Board prior to the passage of this Act," respectfully report as follows: That House Bill No. 518 do not pass.

MONAHAN, Chairman.

On motion of Brennan, report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 502, entitled: "An Act to amend Section 4, of Chapter 106, Session Laws, of the Twenty-third Legislative Assembly, 1933, relating to the Montana Beer Act and providing for the per cent of alcohol by weight," respectfully report as follows: That House Bill No. 502 do not pass.

MONAHAN, Chairman.

On motion of Monahan, report adopted.

Mr. Speaker: We, your Committee on Public Safety, having had under consideration House Bill No. 393, entitled: "An Act to regulate the use of cinematographs, or similar apparatus, as well as fixing the number of persons employed in operating more than one such cinematograph, or other similar apparatus, and requiring an inspection of such apparatus, as well as the booths or inclosures enclosing the same, by the State Fire Marshal and providing that the State Fire Marshal may issue such rules and regulations as may be necessary regarding the same; setting forth the qualifications of all persons who shall operate a cinematograph, or other similar apparatus, and providing for persons aiding such operators as assistants and providing what type of apparatus and film used therein shall be exempt from the provisions of the Act and providing for penalties for violation of the Act," respectfully report as follows: That House Bill No. 393 do pass.

EMMETT, Chairman.

On motion of Emmett, report adopted.

Mr. Speaker: We, your Committee on Petroleum, Oil and Gas, having had under consideration House Bill No. 346, entitled: "An Act to authorize the Trustees of any School District, the County Commissioners of any county of the City or Town Council of any city or town of the State of Montana to issue or grant oil and/or gas leases on any or all land or

lands under their control," respectfully report as follows: That House Bill No. 346 do pass.

MINETTE, Chairman.

On motion of Miller of Big Horn, report adopted.

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 339, entitled: "An Act relating to the regulation of auctioneers, and to amend Sections 4147 and 4148, and to repeal Sections 4151, 4152, 4153, 4154, 4155, and 4156, Revised Codes of Montana, 1921," respectfully report as follows: That House Bill No. 339 do not pass.

BURRIS, Chairman.

On motion of Burris, report adopted.

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 356, entitled: "An Act to amend Section 200 of the Revised Codes of Montana of 1921, relating to the salary of the Attorney General," respectfully report as follows: That House Bill No. 356 do not pass.

BURRIS, Chairman.

On motion of Burris, report adopted.

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 413, entitled: "An Act to amend Sections 4819 and 199, Subdivision 5, Revised Codes of Montana of 1921, relating to the duties of County Attorneys and to the supervisory powers of the Attorney General," respectfully report as follows: That House Bill No. 413 do pass.

BURRIS, Chairman.

On motion of Burris, report adopted.

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 133, entitled: "An Act to amend Section 3651 of the Revised Codes of Montana, 1921, relating to the membership and term of the State Fish and Game Commission, said amendment relating to the removal and appointment of such commissioners by the Governor," respectfully report as follows: That House Bill No. 133 do not pass.

BURRIS, Chairman.

On motion of Burris, report adopted.

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 324, entitled: "An Act to amend Section 6 of Article V of the Constitution of the State of Montana, relating to Sessions of the Legislative Assembly," respectfully report as follows: That House Bill No. 324 do not pass.

BURRIS, Chairman.

On motion of Burris, report adopted.

Mr. Speaker: We, your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 386, entitled: "An Act to amend Sections 1, 2, 3, 16, 18 and 19 of Chapter 184, Laws of 1931, relating to supervision, regulation and control of the use of the public highways of the State of Montana by motor vehicles of persons and property upon the public highways of Montana, and adding to said Chapter 184 new and additional sections to be designated and numbered Sections 10.1, 16.1 and 16.2, providing for the licensing of persons and corporations operating motor vehicles for distributing, delivering and collecting wares, merchandise and commodities sold and to be sold by them; providing an addi-

tional license tax upon all motor carriers subject to the provisions of this Act, and appropriating the moneys collected to be used in the enforcement of the Act; and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 386 do pass.

ORMSBEE, Chairman.

On motion of Emmett, report adopted.

Mr. Speaker: We, your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 384, entitled: "An Act permitting any motor carrier authorized by the Board of Railroad Commissioners of the State of Montana to transport persons and/or property for hire over any public highway in the State of Montana, aggrieved by the cancellation and/or refusal of issuance of motor vehicle liability insurance policy or bond by any insurance or surety company authorized to do business within the State of Montana, to file complaint with the Commissioner of Insurance of the State of Montana, authorizing the commissioner of Insurance after notice to the parties and public hearing held to make appropriate finding or findings and enter an order thereon; providing for an appeal to the District Court from the decision of the Commissioner of Insurance and for an appeal to the Supreme Court of the State of Montana from any decree of the District Court or a judge thereof and authorizing the Commissioner of Insurance to revoke or suspend the license of any company failing to comply with his said order or decree of court entered upon appeal from his said order." respectfully report as follows: That House Bill No. 384 do pass.

ORMSBEE, Chairman.

On motion of Ormsbee, report adopted.

Mr. Speaker: We, your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 390, entitled: "An Act prescribing the fees and charges to be made by the Public Service Commission," respectfully report as follows: That House Bill No. 390 do pass.

ORMSBEE, Chairman.

On motion of Ormsbee, report adopted.

Mr. Speaker: We, your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 513, entitled: "An Act giving the Public Service Commission supervision over the payment of dividends on common stock issued by public utilities," respectfully report as follows: That House Bill No. 513 do pass.

ORMSBEE, Chairman.

On motion of Ormsbee, report adopted.

Mr. Speaker: We, your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 510, entitled: "An Act authorizing the Public Service Commission to order the income of a public utility in excess of a reasonable rate of return to be placed in a reserve fund to be applied as earnings of the public utility in subsequent years in which it does not earn a reasonable rate or return," respectfully report as follows: That House Bill No. 510 do pass.

ORMSBEE, Chairman.

On motion of Ormsbee, report adopted.

Mr. Speaker: We, your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 383, entitled: "An Act providing for the payment of fees by railroads and public utilities based upon their gross operating revenue and making the Act retroac-

tive so as to cover a fee for the gross revenue produced in 1934," respectfully report as follows: That House Bill No. 383 do pass.

ORMSBEE, Chairman.

On motion of Ormsbee, report adopted.

Mr. Speaker: We, your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 389, entitled: "An Act authorizing the Public Service Commission of emergency cases to enter orders fixing temporary rates to be charged by public utilities and to prescribe the procedure therefor," respectfully report as follows: That House Bill No. 389 do pass.

ORMSBEE, Chairman.

On motion of Ormsbee, report adopted.

Mr. Speaker: We, your majority of the Committee on Judiciary, having had under consideration House Bill No. 521, entitled: "An Act to amend Sections 3779, 3782 and 3783 of the Revised Codes of the State of Montana of 1921 and repealing Sections 3780, 3784, 3786, 3788 and 3790 of the Revised Codes of the State of Montana of 1921, and Section 3787 of the Revised Codes of Montana of 1921 as amended by Chapter 90 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana of 1927, abolishing the Board of Railroad Commissioners of the State of Montana and providing that the duties of said Board shall be performed by the State Board of Equalization of the State of Montana," respectfully report as follows: That House Bill No. 521 be printed and placed on General Orders.

BOONE, Chairman.

Mr. Speaker: We, your minority of the Committee on Judiciary, having had under consideration House Bill No. 521, entitled: "An Act to amend Sections 3779, 3782 and 3783 of the Revised Codes of the State of Montana of 1921 and repealing Sections 3780, 3784, 3786, 3788 and 3790 of the Revised Codes of the State of Montana of 1921, and Section 3787 of the Revised Codes of Montana of 1921 as amended by Chapter 90 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana of 1927, abolishing the Board of Railroad Commissioners of the State of Montana and providing that the duties of said Board shall be performed by the State Board of Equalization of the State of Montana," respectfully report as follows: That House Bill No. 521 do not pass.

SPIEGEL,
LASBY,
FOOR,
O'BYRNE,
EMMONS,
SHERMAN,
HINERMAN,
BURRIS.

It was moved by Boone, duly seconded, that the report of the majority be adopted.

On substitute motion, it was moved by Burris, duly seconded, that the minority report be adopted.

On substitute motion for all motions pending, it was moved by Fowler, duly seconded and carried, that all further action on House Bill No. 521 be indefinitely postponed.

It was moved by Rolph, duly seconded, that the House reconsider its action on House Bill No. 521. Motion was lost.

It was moved by Byrne, duly seconded and carried, that House Bill No. 380 be placed at the bottom of the list on General Orders.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, beg leave to report the following correctly printed: House Bills Nos. 379, 327, 382 and Substitute House Bill No. 232.

McCAUSLAND, Chairman.

Without objection, report adopted.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Leavitt of Custer in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That House Bill No. 427 do pass.

That House Bill No. 296 be amended as follows: Amend Section 2 by changing the period at the end of line 10 to a semi-colon and adding the following: "Provided, that the aggregate inventoried value of such stocks of supplies, materials, and articles on hand at or in or at the disposition of any such institution, board, bureau, commission or department as of June 30, 1934, as shown by the records of the State Purchasing Agent, shall not be deducted from appropriations available for such institutions"; and as amended do pass.

That the enacting clause be stricken from Substitute House Bill No. 42.

That Substitute House Bill No. 66 be amended as follows: Amend Section 2 by striking out in line 3 the letter "a" after the word "of" and adding on to the word "certificate" the letter "s"; amend Section 1 by striking out in line 8 the words "County Clerk" and inserting in lieu thereof the words "Clerk of the District Court"; amend Section 2 by striking out in line 9 after the word "applicant" the remainder of the paragraph and inserting in lieu thereof the words "appears to be of sound mind"; and as amended do pass.

That House Joint Memorial No. 8 be adopted.

That House Joint Memorial No. 9 be adopted.

That House Joint Memorial No. 10 be not adopted.

That House Joint Resolution No. 5 be adopted.

That House Memorial No. 2 be adopted.

LEAVITT, Chairman.

On motion of Leavitt, report adopted.

THIRD READING OF HOUSE BILLS

The following have been read three several times, history and title agreed to, were disposed of as follows:

Substitute House Bill No. 40, introduced by Committee on Banks and Banking, failed to pass by the following vote:

Ayes: Acher, Anderson, Balgord, Boone, Brennan, Busch, Buttelman, Byrne, Cusick, Doe, Ecton, Egan, Emmett, Ewing, Goodwin, Groene (Fergus), Haight, Hall, Hamilton, Harlon, Harwod, Haugan, Hedden, Kathan,

Kelly, Lemmer, Liggett, Logan, Lott, Metlen, Minette, Moss, Mundy, Nutting, Ormsbee, Padbury, Parker, Peterson (Gallatin), Quigley, Smith, Stevens, Stromnes, Toomey, White (Judith Basin), White (Hill), Worden. Total 46.

Noes: Ahlgreen, Ballard, Bertsche, Burris, Chamberlain, Chapmar, Conner, Connors, Coultas, Emmons, Foor, Fowler, Gordon, Gray, Green (Dawson), Heavlin, Holding, Hinerman, Joffray, Johnson, Kruse, Kuhl, Lasby, Leavitt, Lippard, Lovell, McCausland, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Monahan, Mulholland, Neary, Nelson, O'Brien, O'Byrne, O'Connor, Petersen (Sheridan), Peterson (Valley), Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stimatz, Whaley, York, Mr. Speaker. Total 53.

Absent and not voting: Leary, Mitchell, Watson. Total 3.

The Speaker: 46 have voted "aye"; 53 have voted "no"; Substitute House Bill No. 40 has failed to pass the House.

Senate amendments to House Bill No. 127 were concurred in by the following vote:

Ayes: Acher, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metien, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 97.

Noes: Ahlgreen, Heavlin. Total 2.

Absent and not voting: Leary, Minette, Watson. Total 3.

The Speaker: 97 have voted "aye"; 2 have voted "no"; Senate amendments to House Bill No. 127 have been concurred in by the House.

Senate amendments to House Bill No. 80 were concurred in by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 96.

Noes: None.

Absent and not voting: Acher, Groene (Fergus), Leary, McLaughlin, Minette, Watson. Total 6.

The Speaker: 96 have voted "aye"; none have voted "no"; Senate amendments to House Bill No. 80 have been concurred in by the House.

Senate amendments to House Bill No. 178 were concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Green (Dawson), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stromnes, Toomey, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 88.

Noes: Stimatz. Total 1.

Absent and not voting: Coultas, Doe, Fowler, Gray, Groene (Fergus), McLaughlin, Manning, Metlen, Minette, Moss, Watson, White (Judith Basin), Leary. Total 13.

The Speaker: 88 have voted "aye"; 1 has voted "no"; Senate amendments to House Bill No. 178 have been concurred in by the House.

Substitute House Bill No. 279, introduced by Committee on Public Morals, Charities and Reforms, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Whaley, Worden, York, Mr. Speaker. Total 89.

Noes: Stromnes. Total 1.

Absent and not voting: Coultas, Doe, Fowler, Groene (Fergus), Leary, Lippard, Metlen, Minette, Moss, Watson, White (Judith Basin), White (Hill). Total 12.

The Speaker: 89 have voted "aye"; 1 has voted "no"; Substitute House Bill No. 279 has passed the House.

Substitute House Bill No. 37, introduced by Committee on Labor, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Hamilton, Harlen, Haugan, Heavlin, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 86.

Noes: Haight, Hedden, McCausland, Manning, Miller (Big Horn), Rolph. Total 6.

Absent and not voting: Harwood, Holding, Leary, Minette, Moss, Ormsbee, Smith, Watson, White (Judith Basin). Total 9.

The following passed their vote: Hall. Total 1.

The Speaker: 86 have voted "aye"; 6 have voted "no"; Substitute House Bill No. 37 has passed the House.

Substitute House Bill No. 158, introduced by Committee on Judiciary, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Ritch, Rolph, Ryan, Scofield, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Whaley, White (Hill), York, Mr. Speaker. Total 91.

Noes: Worden. Total 1.

Absent and not voting: Groene (Fergus), Kruse, Leary, Minette, Moss, Ormsbee, Peterson (Valley), Sexton, Watson, White (Judith Basin). Total 10.

The Speaker: 91 have voted "aye"; one has voted "no"; Substitute House Bill No. 158 has passed the House.

Substitute House Bill No. 46, introduced by Committee on Privileges and Elections, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Hedden, Hinerman, Joffray, Johnson, Kathan, Kelly, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Monahan, Mundy, Neary, Nutting, Padbury, Parker, Petersen (Sheridan), Peterson (Valley), Quigley, Rolph, Sexton, Sherman, Smith, Southmayd, Stevens, Toomey, Whaley, Worden, York, Mr. Speaker. Total 77.

Noes: Heavlin, Mitchell, Mulholland, Nelson, O'Brien, O'Byrne, O'Connor, Peterson (Gallatin), Ryan, Spiegel, Stimatz, White (Hill). Total 12.

Absent and not voting: Bertsche, Boone, Kruse, Leary, Minette, Moss, Ormsbee, Ritch, Stromnes, Watson, White (Judith Basin). Total 11.

The following passed their vote: Holding, Scofield. Total 2.

The Speaker: 77 have voted "aye"; 12 have voted "no"; Substitute House Bill No. 46 has passed the House.

Substitute House Bill No. 12, introduced by Committee on Livestock and Public Ranges, was passed by the following vote:

Ayes: Acher, Anderson, Balgord, Boone, Brennan, Busch, Buttelman, Byrne, Chamberlain, Coultas, Doe, Ecton, Egan, Emmett, Emmons, Foor,

Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harlen, Harwood, Haugan, Hedden, Holding, Kelly, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Nutting, O'Brien, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Ritch, Scofield, Sexton, Sherman, Smith, Stevens, Stromnes, Toomey, Whaley, White (Hill), Worden. Total 66.

Noes: Ahlgreen, Ballard, Chapman, Conner, Cusick, Haight, Heavlin, Hinerman, Joffray, Kathan, Masterson, Nelson, O'Byrne, O'Connor, Peterson (Valley), Rolph, Ryan, Spiegel, Stimatz, York, Mr. Speaker. Total 21.

Absent and not voting: Burris, Connors, Ewing, Johnson, Kruse, Manning, Minette, Moss, Mundy, Neary, Ormsbee, Watson, White (Judith Basin). Total 13.

The following passed their vote: Bertsche, Southmayd. Total 2.

The Speaker: 66 have voted "aye"; 21 have voted "no"; Substitute House Bill No. 12 has passed the House.

Substitute House Bill No. 39, introduced by Committee on Banks and Banking, failed to pass by the following vote:

Ayes: Acher, Anderson, Balgord, Boone, Brennan, Busch, Buttelman, Byrne, Conner, Doe, Ecton, Egan, Ewing, Goodwin, Gordon, Groene (Fergus), Haight, Harwood, Haugan, Hedden, Kathan, Kelly, Logan, Lott, Metlen, Miller (Big Horn), Nutting, O'Brien, Padbury, Parker, Peterson (Gallatin), Quigley, Ritch, Scofield, Sherman, Smith, Stevens, Toomey, White (Hill). Total 39.

Noes: Ahlgreen, Ballard, Bertsche, Burris, Chamberlain, Chapman, Connors, Coultas, Cusick, Emmett, Emmons, Foor, Fowler, Gray, Green (Dawson), Hall, Hamilton, Harlen, Heavlin, Holding, Hinerman, Joffray, Johnson, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Lovell, McCausland, McLaughlin, Manning, Masterson, Miller (Roosevelt), Mitchell, Monahan, Mulholland, Mundy, Neary, O'Byrne, O'Connor, Ormsbee, Petersen (Sheridan), Peterson (Valley), Rolph, Ryan, Sexton, Southmayd, Spiegel, Stimatz, Stromnes, Whaley, Worden, York, Mr. Speaker. Total 56.

Absent and not voting: Kruse, Leary, Minette, Moss, Nelson, Watson, White (Judith Basin). Total 7.

The Speaker: 39 have voted "aye"; 56 have voted "no"; Substitute House Bill No. 39 has failed to pass the House.

The Speaker appointed Rolph, Byrne, Leavitt, Moss and the Speaker to act as the Steering Committee.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Tuesday, 10:00 o'clock A. M., February 19th, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:
JOHN J. JEWELL, Chief Clerk.

FORTY-FOURTH DAY

House of Representatives,
Helena, Montana, February 19, 1935.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by Chaplain.

A quorum for the transaction of business was present.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the forty-third legislative day, find the same to be correct.

QUIGLEY, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing, beg leave to report the following correctly printed: House Bills Nos. 381, 388 and 391.

McCAUSLAND, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following correctly enrolled: House Bills Nos. 55, 139, 163 and 202.

MONAHAN, Chairman.

Without objection, report adopted.

I have read House Bill No. 55, as reported from the Enrolling Committee and certify same to be correct.

KUHL.

I have read House Bill No. 139, as reported from the Enrolling Committee and certify same to be correct.

LEMMER.

I have read House Bill No. 202, as reported from the Enrolling Committee and certify same to be correct.

TOOMEY.

I have read House Bill No. 163, as reported from the Enrolling Committee and certify same to be correct.

BOONE.

The Speaker announced he was about to sign House Bill No. 55, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 139, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 202, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 163, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 533, entitled: "An Act to appropriate money for the operation and maintenance of certain boards, departments, state institutions and state offices for the period ending June 30, 1935, it having been found that the appropriations provided by the Twenty-third Legislative Assembly were insufficient for the above purposes," respectfully report as follows: That House Bill No. 533 do pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 448, entitled: "An Act to amend Sec-

tion 3722, Revised Codes of Montana of 1921, as amended by Chapter 77 of the Laws of 1923 and by Chapter 59 of the Laws of 1927 and by Chapter 99 of the Session Laws of 1931, relating to protection of beaver, and beaver license and tagging and repealing all laws in conflict therewith," respectfully report as follows: That House Bill No. 448 do pass.

LEMMER, Chairman.

On motion of Lemmer, report adopted.

Mr. Speaker: We, your majority of the Committee on Petroleum, Gas and Oil, having had under consideration House Bill No. 428, entitled: "An Act prohibiting the sale, barter or exchange of gasoline, benzine or naphtha which contains any artificial coloring matter; making the violations of this Act a misdemeanor and providing penalties," respectfully report as follows: That House Bill No. 428 do not pass.

MINETTE, Chairman.

Mr. Speaker: We, your minority of the Committee on Petroleum, Gas and Oil, having had under consideration House Bill No. 428, entitled: "An Act prohibiting the sale, barter or exchange of gasoline, benzine or naphtha which contains any artificial coloring matter; making the violations of this Act a misdemeanor and providing penalties," respectfully report as follows: That House Bill No. 428 do pass.

O'BRIEN, Chairman.

It was moved by Rolph, duly seconded and carried, that, inasmuch as O'Brien, chairman of the Minority Committee was absent, that action on reports be passed temporarily.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Senate, and bills are herewith returned to the House:

H. B. No. 86, by Committee on Public Health and Sanitary Affairs, by request.

H. B. No. 162, by Committee on Judiciary, by request.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence:

S. B. No. 84, by Public Lands Committee.

S. B. No. 86, by Wass.

S. B. No. 97, by Campbell and Pauline.

S. B. No. 101, by Committee on Water Conservation and Flood Control.

S. B. No. 55, by Oliver.

S. B. No. 90, by Sparling.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that further messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Joint Resolution and Joint Memorial were this day introduced in the Senate, read first and second time, and referred to committees:

S. J. R. No. 7, by Danielsén and MacGilvra: A Resolution requesting the Congress of the United States to reimburse Roosevelt and Lake counties, Montana, and other counties similarly situated, by the Federal Government for expenses incurred by said counties in the arrest and trial of Indian wards and for their maintenance while imprisoned. To Federal Relations.

S. J. M. No. 4, by Delaney, Holt and Carey: A Memorial to the Secretary of the Interior relative to the Buffalo Rapids Reclamation Project and requesting the aid of the Federal Government in the construction of said project. To Federal Relations.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced in the Senate, read first and second time, and referred to committees:

H. B. No. 124, Stockgrowing and Grazing.

H. B. No. 191, Stockgrowing and Grazing.

H. B. No. 238, Fish and Game.

H. B. No. 277, State Boards and Offices.

H. B. No. 151, Judiciary.

H. B. No. 181, Counties and Towns.

H. B. No. 262, Agriculture.

H. B. No. 283, Labor and Capital.

H. B. No. 291, Education.

H. B. No. 359, Military Affairs.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. B. No. 57 be amended in Section 7 by striking out in line 5 the words and figures "two (2)", and inserting in lieu thereof the words and figures, "three-fourths (3-4) of one"; and as amended, do pass.

That S. B. No. 103 be amended in Section 1 by striking out in line 9 of the printed bill the words and figures, "three (3) years", and inserting in lieu thereof the words and figures "one (1) year," and as amended, do pass.

That S. B. No. 118 be amended in the title by adding in line 2, printed bill, after the figure "1921" the words "as amended by Chapter 73, Session Laws of 1931";

Be further amended in Section 1, line 1, printed bill, after the figure "6183", the words "as amended by Chapter 73, Session Laws of 1931," to be added; and as amended, do pass.

That S. B. Nos. 108, 117, 111 and 128 do pass.

That H. B. No. 87 and 180 be concurred in.

That consideration of Sub. H. B. No. 44 and H. B. No. 90 be passed for the day.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Printing: That S. B. Nos. 74, 111, 108, 117, 125 and 128 have been correctly printed.

Engrossing: Reported S. B. Nos. 84, 86, 97, 90, 55, 101 and 110 have been correctly engrossed.

Enrolling: Reported S. B. Nos. 6 and 36 correctly enrolled and duly verified.

Dairies and Dairying: Reported S. B. No. 163 back without recommendation.

Judiciary: Recommend H. B. No. 87 be concurred in.

Public Lands (majority): Recommend S. B. No. 104 do pass.

Public Lands: Recommended that S. B. No. 79 do not pass, but that Substitute S. B. No. 79, entitled: "An Act to authorize Boards of County Commissioners to convey to the United States lands acquired by the county for delinquent taxes and to accept in lieu thereof government lands of standing timber of a value equal to the county lands so exchanged; providing the method of effecting such exchange and disposing of such lieu lands." And as so amended, do pass.

State Boards and Offices: Recommend that H. B. No. 90 be amended by amending the title to read as follows: "An Act to authorize the State Depository Board to permit the State Treasurer to invest surplus cash in his office in registered warrants of the State of Montana; and prescribing for the keeping of a record and register of registered warrants to purchased; providing that the interest earned thereon be credited to the General Fund of the state, and repealing all Acts in conflict therewith."

Amend by striking out Section 1 of the original bill and inserting in lieu thereof:

"The State Depository Board may in its discretion, by a resolution duly adopted and entered upon the minutes of said board, authorize and direct the State Treasurer to invest any surplus cash in his office, in an amount of not more than twenty-five per cent (25%) of the total cash balance on hand at the close of the preceding month, in registered warrants of the State of Montana. All warrants so purchased, shall be entered in an investment register which shall be a solid bound book with numbered pages, and shall show the number of the warrant, the fund on which drawn, the date of registration, the date purchased, the date redeemed or sold, the face amount of the warrant, the amount of interest accrued at the time of sale or redemption and the total amount of such warrant and interest. At the time of the purchase, sale or redemption of any warrant or warrants under the provisions of this Act, the Treasurer shall file with the Depository Board and also with the State Examiner, a detailed list of the warrants so purchased, sold or redeemed, together with the in-

terest thereon, and all interest received as a result of such investment, shall be credited to the General Fund of the State of Montana."

And as so amended, be concurred in.

State Boards and Offices: That S. B. No. 94 be amended by inserting in line 11 before the word "must," the words and figures, "Section 4771."

And as amended, do pass.

Committee on Oil and Leases: Recommend that S. B. No. 121 be amended by striking out of line 21 on page 1 after the word "of" the words, "Two Dollars and Fifty Cents (\$2.50)", and inserting in lieu thereof the words, "Thirty-five Dollars (\$35.00)."

Amend by striking out of line 13 on page 2 after the word "of" the words, "Two Dollars and Fifty" and by striking out at the beginning of line 14 the words "cents (\$2.50)", and inserting in lieu thereof the words, "Thirty-five Dollars (\$35.00)."

And as amended, do pass.

Committee on State Boards and Offices: Recommend that Sub. H. B. No. 44 be amended by inserting in line 28, original bill, after the word "trustees" and before the word "are" the following words: "of districts of the third class."

And as so amended, be concurred in.

Printing: Reported S. B. Nos. 106, 107, 126, 127, 129, 139 and 89 correctly printed.

Public Buildings: Recommended S. B. No. 144 do pass.

Public Morals: Reported S. B. No. 153 out without recommendation. Recommended S. B. No. 146 do pass.

Judiciary: Recommended H. B. No. 162 be not concurred in.

Recommended S. B. Nos. 124, 137, 141 and 150 do not pass.

Agriculture: Recommend H. B. No. 237 be concurred in.

Recommend H. B. No. 236 be concurred in.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day gave notice that he was about to sign, and did sign in open session:

Senate Bill No. 36.

Senate Bill No. 6.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time, and referred to committees:

S. B. No. 170, by Putnam: A Bill for an Act entitled: "An Act authorizing County Commissioners to deed county lands to the state for state park purposes." To Counties and Towns.

S. B. No. 171, by Angvick: A Bill for an Act entitled: "An Act providing for the classification and basis upon which taxes shall be imposed upon all irrigated land, non-irrigated farm land, all grazing land, all city and town lots together with the improvement thereon (except improvements used for business or industrial purposes)." To Taxation.

S. B. No. 172, by Parkin: A Bill for an Act entitled: "An Act to amend Section 1638 of the Revised Codes of Montana of 1921, relating to the decision of County Commissioners on a petition for establishing, changing or discontinuing highways, and designating the method of giving notice to interested parties." To Counties and Towns.

S. B. No. 173, by Hammond, Ekegren, Sibbert and Oliver: A Bill for an Act entitled: "An Act to revise Section 4482, Revised Codes of 1921, and Chapter 10 of Session Laws of 1929, relating to contracts for public printing, fixing the prices thereof, and providing a penalty for violation of this Act." To Counties and Towns.

S. B. No. 174, by Carroll: A Bill for an Act entitled: "An Act to permit counties which are indebted beyond the limit provided by Section 5 of Article XIII of the Constitution to operate on a cash basis." To State and County Economies.

S. B. No. 175, by Kilduff and Holt: A Bill for an Act entitled: "An Act to declare the necessity of creating public bodies corporate and politic to be known as Housing Authorities to engage in slum clearance and/or projects to provide dwelling accommodations for persons of low income; to provide for the creation of such Housing Authorities; to define the powers and duties of Housing Authorities and to provide for the exercise of such powers, including acquiring property by purchase, gift or eminent domain, and including borrowing money, issuing revenue and credit bonds and other obligations, and giving security therefor; to confer remedies on obligees of Housing Authorities; to provide that Housing Authorities, their property and securities shall be tax exempt; and to declare an emergency requiring that this Act take effect from the date of its passage." To Relief and Social Welfare.

S. B. No. 176, by Thien and Holt: A Bill for an Act entitled: "An Act authorizing the Commissioner of State Lands subject to the approval of the State Land Board, to enter into cooperative agreements with the Secretary of the Interior, and to exchange lands with the United States of America as provided for in the Act of Congress approved June 28, 1934, entitled as an Act to stop injury to the Public Grazing Lands by preventing over-grazing and soil deterioration, to provide for their orderly use, improvement and development, to stabilize the livestock industry dependent upon the public range, and for other purposes." To Federal Relations.

S. B. No. 177, by Arnold, Church, Larson, Coburn, Danielsen, Campbell, Stevens, Liess, Groff, Blankenbaker, Melton, Parkin, Harris, Thien: A Bill for an Act entitled: "An Act to amend Sections 3779, 3782 and 3783 of the Revised Codes of the State of Montana of 1921, and repealing Sections 3780, 3786, 3784, 3788 and 3790 of the Revised Codes of the State of Montana of 1921 and Section 3787 of the Revised Codes of Montana of 1921, as amended by Chapter 90 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana of 1927, abolishing the Board of Railroad Commissioners of the State of Montana and providing that the duties of said board shall be performed by the State Board of Equalization of the State of Montana." To State Boards and Offices.

S. B. No. 178, by Page: A Bill for an Act entitled: "An Act to regulate the conducting of Tourist Camps: Providing for the sanitary operation and maintenance thereof; designating certain facilities and accommodations required to be provided by proprietors at such camps; providing for fire inspection and sanitary inspection of such camps; defining the terms used in this Act; providing penalties for the violation hereof and repealing all Acts in conflict herewith." To Judiciary.

S. B. No. 179, by Kelsey: A Bill for an Act entitled: "An Act to amend Section 17 of Chapter 109 of the Session Laws of the Twenty-second

Legislative Assembly of Montana of 1931 as last amended by Section 4 of Chapter 56 of the Session Laws of the Twenty-third Legislative Assembly of Montana of 1933, the same being an Act providing for the adoption of the managerial form of county government." To Counties and Towns.

S. B. No. 180, by Lamp: A Bill for an Act entitled: "An Act relating to the time for filing a claim with the employer, the insurer, or the Industrial Accident Board, under the Workmen's Compensation Act, in case of personal injury to any public officer connected with or engaged in a hazardous occupation, and in case of personal injury to a person who when such injury occurred was a public officer connected with or engaged in a hazardous occupation." To Compensation.

S. B. No. 181, by Garrison: A Bill for an Act entitled: "An Act relating to the transportation to and from a school having more than one teacher, or in lieu thereof board and room or reimbursement of pupils who reside four (4) miles or more from such school and in the school district maintaining such school." To Education.

S. B. No. 182, by Garrison, Plank, Sparling, Holt: A Bill for an Act entitled: "An Act providing for the acquisition, purchase, construction, reconstruction, improvement, betterment, extension, operation and maintenance of revenue-producing undertakings by any city and town, however, organized; authorizing and regulating the issuance of revenue bonds for financing such undertakings; and providing for the payment of such bonds and the rights of holders thereof." To Counties and Towns.

S. B. No. 183, by Church, Campbell, Kilduff, Arnold, Delaney, Oliver and Coburn: A Bill for an Act entitled: "An Act to amend Section 624 of the Revised Codes of Montana of 1921; and to repeal Sections 631, 633, 634, 635, 636, 637, 638, 646, 647, 650, 653, 654, 655, 656, 657, 658, 659, 660, 661, 664, 665, 666, 667, 668, 669, 670 of the Revised Codes of Montana of 1921; and to repeal Section 632 of the Revised Codes of Montana of 1921, as amended by Chapter 3 of the Session Laws of the Twentieth Legislative Assembly of 1927; and to repeal Section 639 of the Revised Codes of Montana of 1921, as amended by Chapter 7 of the Session Laws of the Twentieth Legislative Assembly of 1927; and to repeal Section 640 of the Revised Codes of Montana of 1921, as amended by Chapter 133 of the Session Laws of the Eighteenth Legislative Assembly of 1923, and as further amended by Chapter 125 of the Session Laws of the Twentieth Legislative Assembly of 1927; and to repeal Sections 641, 644 and 645 of the Revised Codes of Montana of 1921, as amended by Chapter 133 of the Revised Codes of Montana of 1923; and to repeal Sections 648 and 649 of the Revised Codes of Montana of 1921, as amended by Chapter 12 of the Session Laws of the Nineteenth Legislative Assembly of 1925 and to repeal Section 651 of the Revised Codes of Montana of 1921, as amended by Chapter 133 of the Session Laws of the Eighteenth Legislative Assembly of 1923, and as further amended by Chapter 14 of the session of the Twentieth Legislative Assembly of 1927, and as further amended by Chapter 67 of the Session Laws of the Twenty-first Legislative Assembly of 1929; and to repeal Section 652 of the Revised Codes of Montana of 1921, as amended by Chapter 133 of the Session Laws of the Eighteenth Legislative Assembly of 1923; and to repeal Section 662 of the Revised Codes of Montana of 1921; as amended by Chapter 98 of the Session Laws of the Twentieth Legislative Assembly of 1927, and as further amended by Chapter 34 of the Session Laws of the Twenty-first Legislative Assembly of 1929; add relating to primary elections; and to repeal all Acts and parts of Acts in conflict herewith; and providing for a referendum of this measure to the voters of Montana." To Elections and Privileges.

S. B. No. 184, by Sparling, Plank and Garrison: A Bill for an Act entitled: "An Act authorizing County Commissioners to levy not to exceed Twenty-five Mills on the taxable property of the county for county pur-

poses, and repealing all Acts and parts of Acts in conflict herewith." To Taxation.

S. B. No. 185, by Thien: A Bill for an Act entitled: "An Act providing for the abandonment and abolishment of counties and for attaching the territory of abandoned and abolished counties to adjoining counties, upon vote of the electors of such counties, and the procedure therefor; providing that the terms of office of members of Board of County Commissioners, officers and such counties and Representatives and Senators of such counties in the Legislative Assembly of the State of Montana shall cease and terminate upon the abandonment and abolishment of counties; providing for the payment of the indebtedness of such counties and for tax levies for such purposes; and providing for the disposition of the moneys, credits and property owned by abandoned and abolished counties." To New Counties and Divisions.

S. B. No. 186, by Coburn: A Bill for an Act entitled: "An Act to amend Sections 2382 and 2383 of the Revised Codes of Montana of 1921, as amended by Chapter 150 of the Laws of 1923 and by Chapter 186 of the Laws of 1925 and by Initiative Measure No. 31, Laws of 1927, and as amended by Chapter 6 of the Session Laws of 1931; and also to amend Section 3, Chapter 19 of the Laws of 1927; being Sections 2396.2 and 2396.3 respectively, of the supplement to the Revised Codes of Montana 1923-27, as amended by Chapter 92 of the Laws of 1929, and as amended by Chapter 6 of the Session Laws of 1931, requiring all persons, co-partnerships, firms, associations, joint stock companies, syndicates and corporations engaged in, or carrying on the business in this state of selling, handling or using gasoline, to pay to the State Board of Equalization certain license taxes for engaging in, and carrying on such business in this state; fixing the amount of such license taxes and providing a method for the assessment and collection thereof." To Oil and Leases.

S. B. No. 187, by MacGillvra, Hollenback, Coburn, Liess, Stevens, Cotter, Arnold, Larson, Oliver, Kalberg, Lamp, Parkin, Angvick, Garrison, Kelsey, Carey, Carroll, Simmons, Campbell, Thien, Pauline, Church, O'Day, Kilduff, Page, Hammond, Anderson, Eaton, Melton, Groff, Plumer, Benjamin, Holton, Ekegren, Harris, Clifford, Putnam, Armstrong, Delaney, Baker, Sullivan, Colbo and Nass: A Bill for an Act entitled: "An Act prohibiting the use of voting machines in the State of Montana and repealing Sections 757 to 773, inclusive, of the Revised Codes of Montana, 1921, and all other Acts in conflict herewith." To Elections and Privileges.

S. B. No. 188, by Oliver, Kelsey, Arnold, Anderson, Eaton, Cotter, Coburn, Angvick, Kalberg, Melton, Plumer, Carroll, Thien, Simmons, Stevens, Groff, Benjamin, Holton, Hollenback, Garrison, Lamp, Ekegren, Harris, Parkin, Pauline, Page, Putnam, Clifford, Armstrong, Delaney, Carey, MacGillvra, Baker, Sullivan, Colbo, Nass and Larson: A Bill for an Act entitled: "An Act providing for the cancellation of registration, re-registration, registration and identification of electors in all counties wherein the number registered electors shall exceed 22,000 and providing for the enforcement of this Act, and penalties for the violation hereof." To Elections and Privileges.

S. B. No. 189, by Angvick, Cotter, Coburn, Kalberg, Plumer, Arnold, Simmons, Benjamin, Holton, Hollenback, Delaney, Carroll, Garrison, Lamp, Ekegren, Harris, Parkin, Pauline, Page, Putnam, Clifford, Anderson, Armstrong, Carey, MacGillvra, Sullivan, Baker, Colbo, Nass, Larson, and Shannon: A Bill for an Act entitled: "An Act to amend Section 590 of the Revised Codes of the State of Montana, 1921, relating to the appointment of judges of elections." To Elections and Privileges.

S. B. No. 190, by Hollenback: A Bill for an Act entitled: "An Act providing for consolidation of school districts; providing for transportation;

providing for officers and providing certain districts shall not receive aid from the state equalization fund." To Education.

S. B. No. 191, by Plank, Sparling, Holton, Kilduff and Angvick: A Bill for an Act entitled: "An Act relating to state lands; providing for the resale and purchase of such lands upon the cancellation of certificates of purchase; assuring certain preference rights to the original purchaser in the event of a resale; authorizing reappraisal of lands by the State Board of Land Commissioners in case of a resale; specifying the terms and conditions of resale contracts and repealing Section 89 of Chapter 60 of the Session Acts of the Twentieth Legislative Assembly of Montana of 1927, as amended by Chapter 101 of the Twenty-first Legislative Assembly of Montana of 1929 and all other Acts and parts of Acts in conflict herewith." To Public Lands.

S. B. No. 192, by Plank, Sparling, Holton, Angvick and Kilduff: A Bill for an Act entitled: "An Act relating to the payment for state lands under certificates of purchase and the reinstatement of cancelled certificates of purchase in whole or in part." To Public Lands.

S. B. No. 193, by Holt: A Bill for an Act entitled: "An Act authorizing Boards of County Commissioners to establish grazing zones and to establish complete control over expenditures for public services in such zones." To Counties and Towns.

S. B. No. 194, by Meyer: A Bill for an Act entitled: "An Act to prohibit the taking of an amount in addition to interest upon the making of a loan of over One Hundred Dollars (\$100.00) except business charges made in the regular order of business in the sale of goods, wares and merchandise, and permitting the taking of ten per centum interest on all loans under One Hundred Dollars (\$100.00), and defining personal finance charges, and making it a misdemeanor." To Judiciary.

S. B. No. 195, by Garrison, Sparling, Oliver, Kalberg, Holton, Angvick, Benjamin and Carroll: A Bill for an Act entitled: "An Act to amend Section 4141 of the Revised Codes of Montana of 1921, relating to the compensation of title abstractors; establishing a schedule of fees for the service of such abstractors, and providing penalties for the violation of this Act." To Judiciary.

S. B. No. 196, by Taxation Committee: A Bill for an Act entitled: "An Act to amend Section 2235 of the Revised Codes of Montana of 1921 as last amended by Chapter 33 of the Session Acts of the Extraordinary Session of the Twenty-third Legislative Assembly of 1933-34, relating to the sale of unredeemed property by County Commissioners." To Counties and Towns.

S. B. No. 197, by Parkin: A Bill for an Act entitled: "An Act to amend Section 1219 of the Revised Codes of Montana of 1921 as amended by Chapter 120, Acts of the Nineteenth Legislative Assembly and to amend Sections 1221 and 1222 Revised Codes of Montana of 1921, all relating to the voting of additional school levies for district school purposes." To Taxation.

S. B. No. 198, by Thien: A Bill for an Act entitled: "An Act authorizing the issuance of bonds of the State of Montana to refund indebtedness of said state evidenced by warrants, and providing for the payment thereof." To Finance and Claims.

S. B. No. 199, by Cotter: A Bill for an Act entitled: "An Act defining certain Acts in the handling of the finances of mining and oil companies operating within the State of Montana as fraudulent; providing for the prosecution of said fraudulent Acts, and fixing penalties upon the conviction thereof." To Judiciary.

S. B. No. 200, by Committee on Mines and Mining: A Bill for an Act entitled: "An Act defining "accommodation smelters" and "custom smelters"; providing an emergency exists making "custom smelters" a public convenience and necessity thereby making "custom smelters" a public utility; defining the duties of the Public Service Commission of Montana relative to "custom smelters"; providing for the appointment and duties of an "umpire"; fixing reasonable rules and regulations for the weighing and sampling and adjusting disputed claims on ore shipments to "custom smelters" and providing a fee from ore to be smelted for carrying out the provisions of this Act and creating a special fund from such receipts to be known as a "smelter umpire fund." To Mines and Mining.

S. B. No. 201, by Meyer: A Bill for an Act entitled: "An Act to amend Chapter 40 of the Session Laws of the Twenty-third Legislative Assembly Extraordinary Session, amending Sections 2 and 28, of Chapter 181, of the Laws of Montana, 1933, regulating rate of personal income tax to be paid, and distribution of said tax." To Taxation.

S. B. No. 202, by Benjamin and Groff, by request: A Bill for an Act entitled: "An Act to prohibit and declare void certain contracts, conditions agreements and understandings in connection with the sale or contract to sell motor vehicles by manufacturers or distributors thereof, and prohibiting the giving of payment of anything or service of value by any manufacturer or distributor of motor vehicles to any one engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles, and the acceptance or receipt thereof by any such person when competition in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles may be lessened or eliminated, or a monopoly created or tended to be created, and prohibiting from doing business in this state any one engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles who so accepts or receives any thing or service of value from any manufacturer or distributor of motor vehicles, and prescribing penalties, forfeitures and recoveries for the violation thereof." To Judiciary.

S. B. No. 203, by Oliver, Hollenback, Meyer, Sullivan, Church, Larson, Killduff and Coburn: A Bill for an Act entitled: "An Act authorizing the Montana Liquor Control Board to issue 'hotel licenses'; to permit the sale of liquor to be consumed on the premises; defining the terms 'hotel, restaurant, cafe and cafeteria, and other terms used in this Act; fixing the amount of license fees therefor; prescribing the hours during which liquors may be sold; prohibiting the sale of liquors to minors and other designated persons; authorizing the Montana Liquor Control Board to prescribe rules and regulations under, and by which, the hotel license may be conducted; prohibiting the sale or traffic in any liquors other than purchased at state liquor stores, and providing for the issuance of permits to hotels to purchase supplies from said liquor stores and providing penalties for the violation thereof." To Judiciary.

S. B. No. 204, by Meyer: A Bill for an Act entitled: "An Act to amend Section 8944 of the Revised Codes of Montana, 1921, finding who shall be deemed to be practicing law and what shall be considered as practicing law, and providing a penalty for the violation of this section." To Judiciary.

S. B. No. 205, by Kalberg: A Bill for an Act entitled: "An Act to provide for the appointment of a committee to investigate and recommend to the next Session of the Legislature a plan for the simplification of public legal documents and evidences of transfer of title of property;

designating the composition of said committee; providing its compensation and duties, and appropriating money therefor." To Judiciary.

S. B. No. 206, by Lamp: A Bill for an Act entitled: "An Act creating the Office of Legislative Secretary; defining the powers and duties of such officer, and fixing his term of office and compensation." To Judiciary.

S. B. No. 207, by Hennessy and Coburn: A Bill for an Act entitled: "An Act to amend Section 2899 of the Revised Codes of Montana, 1921, relating to Workmen's Compensation Act." To Compensation.

S. B. No. 208, by Campbell, Larson and O'Day: A Bill for an Act entitled: "An Act relating to payments on bonds and warrants of special improvement districts, and prescribing a period of limitation for accepting or rejecting the provisions thereof." To Counties and Towns.

S. B. No. 209, by Church: A Bill for an Act entitled: "An Act prohibiting the sale of commodities in retail stores and wholesale warehouses on Sundays and holidays and between the hours of 6 o'clock P. M. and 8 o'clock A. M., on week days in cities and towns in this state containing more than twenty-five hundred inhabitants; defining terms used therein; stating exemptions from the provisions of the Act and providing penalties for violations thereof." To Labor and Capital.

S. B. No. 210, by O'Day, Danielsen and Church: A Bill for an Act entitled: "An Act to amend Section 270 of the Revised Codes of Montana, 1921, as amended by Chapter 122 of the Laws of the Nineteenth Legislative Assembly of the State of Montana, and authorizing the State Board of Examiners to invest special funds in the state general fund warrants and bonds and warrants of the several counties, cities and towns of the State of Montana." To Finance and Claims.

S. B. No. 211, by Oliver : A Bill for an Act entitled: "An Act to amend Section 2000 of the Revised Codes of Montana of 1921, relating to percentage of value of property for the imposition of taxes." To Taxation.

S. B. No. 212, by Committee on Judiciary: A Bill for an Act entitled: "An Act limiting the time within which an action for the recovery of real property of any dissolved corporation, or for possession thereof or the rents or profits thereof, may be brought by any stockholder, officer, director or other person claiming under or through said corporation." To Corporations Other Than Municipal.

S. B. No. 213, by Garrison: A Bill for an Act entitled: "An Act making the State Treasurer custodian for any moneys which the Treasurer of the United States under the Taylor Grazing Act, approved June 28, 1934, (Public No. 482) may pay to State of Montana, and making it the State Treasurer's duty to apportion and allocate these moneys to the County Treasurer to allocate and pay to the grazing districts from which they were originally collected, to be used for construction of range improvements and maintenance." To State Boards and Offices.

S. B. No. 214, by Cotter and Garrison: A Bill for an Act entitled: "An Act permitting injured workmen or public officer to file claims for compensation for alleged industrial accident injury and disability after the expiration of six months from the date of the happening of the accident, injury and disability and permitting notice thereof to be deemed given." To Compensation.

S. B. No. 215, by Church: A Bill for an Act entitled: "An Act to amend Section 18 of Chapter 46 of the Laws of the Extraordinary Session of the Twenty-third Legislative Assembly, relating to the licensing and

regulation of the manufacture, sale and distribution of beer and other similar fermented beverages, and repealing all Acts and parts of Acts in conflict therewith." To Judiciary.

S. B. No. 216, by Garrison, Sparling, Holt and Plank: A Bill for an Act entitled: "An Act providing for the creation of power districts; prescribing powers and duties of such districts; and authorizing such districts to conduct and operate utilities for the production, transmission or distribution of electric energy, and to issue bonds and providing for the payment of such bonds; and declaring an emergency." To Counties and Towns.

S. B. No. 217, by Cotter, Hollenback and Garrison: A Bill for an Act entitled: "An Act to amend Chapter 109 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana, relating to the regulation and sale of gasoline and other petroleum products, by adding after Section 19 thereof, a new section to be known as Section 19-A, providing for the revocation by the Public Service Commission of the license to engage in the business of selling gasoline and other petroleum products issued to any person, firm, partnership, association or corporation, and granting the right of appeal where such revocation is ordered."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motions were this day made, duly seconded and carried:

That consideration of H. B. No. 86 be indefinitely postponed.

That S. B. No. 163 be printed and placed on General File.

That S. B. No. 112 be taken from General File and referred to Committee on Stockgrowing and Grazing.

That S. B. No. 133 be taken from Committee on Counties and Towns, and referred to Judiciary.

That S. B. No. 110 be taken from Third Reading and re-referred to Counties and Towns.

That S. B. Nos. 74 and 92 be passed for the day.

That S. B. No. 125 be taken from General File and referred to Banks and Banking.

That action on S. B. No. 64 be reconsidered, and same was ordered placed on Third Reading for tomorrow.

That S. B. No. 153 be printed and placed on General File.

That action on S. B. No. 150 be reconsidered, and same be printed and placed on General File.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Ahlgreen, duly seconded that the House reconsider its action on House Joint Memorial No. 10.

A call of the House was demanded by the required number.

It was moved by Byrne, duly seconded and carried, that the call of the House be dispensed with.

With the consent of the House, Ahlgreen withdrew his motion.

It was moved by Byrne, duly seconded and carried, that House Bills Nos. 231, 382, 379, 391, 388 and 381 be placed on the foot of the list on General Orders.

It was moved by Nutting, duly seconded and carried, that House Bill No. 372 be passed for the day.

It was moved by Leavitt, duly seconded and carried, that House Bill No. 200 be made a Special Order of Business for Friday afternoon at 2:00 o'clock P. M.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF THE SAME

The following were introduced, read first and second time and referred to committees:

Senate Bill No. 84, introduced by the Committee on Public Lands: A Bill for an Act entitled: "An Act to amend Section 65 of Chapter 60 of the Laws of the State of Montana of 1927, as amended by Chapter 28 of the Laws of the State of Montana of 1929, relating to mineral reservations in state lands, it being the purpose of this amendment to restore the said Section 65 to its original intent." Referred to Committee on State Lands.

Senate Bill No. 86, introduced by Wass: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter Fifty-two (52) of the Session Laws of Montana, Twenty-first Session, 1929, relating to an Act to establish a game preserve in a portion of Judith Basin County, for the protection of game, animals and birds, to be known as Judith River Game and Bird Preserve, and providing penalties for the killing, hunting, trapping and pursuing any game animals or birds in such preserve, or the carrying of firearms therein." Referred to Committee on Fish and Game.

Senate Bill No. 97, introduced by Campbell and Pauline: A Bill for an Act entitled: "An Act to amend Section 9427 of the Revised Codes of Montana of 1921, relating to exemptions of property from execution and repealing Chapter 120 of the Session Acts of the Twenty-third Legislative Assembly of 1933, and all other Acts in conflict herewith." Referred to Committee on Judiciary.

Senate Bill No. 101, introduced by Committee on Water Conservation and Flood Control: A Bill for an Act entitled: "An Act to amend Sections 2, 5 and 8 of Chapter 35, of the Acts of the Extraordinary Session of the Twenty-third Legislative Assembly of Montana, entitled: "An Act providing for the creation of the State Water Conservation Board; prescribing its powers and duties; providing for the construction, operation and maintenance of a system of works for the conservation, development, storage, distribution and utilization of water, and for the acquisition of property necessary therefor; authorizing the issuance of water conservation revenue bonds of the state payable solely from the revenues of such works and the funds received from the sale or disposal of water and from the operation, lease, sale or other disposition of the works, property and facilities to be acquired out of the proceeds of such bonds; providing for a lien upon bond proceeds; providing for trust indentures; providing for the creation of certain funds in connection with this Act; providing for contracts with the United States; declaring that no debt of the state shall be incurred in the exercise of any of the powers granted by this Act; providing for purchase condemnation; and otherwise acquiring lands and water rights and for the sale thereof; making an appropriation; repealing Chapter 155, of the Session Laws of 1931; and declaring an emergency, and to supplement said Chapter 35, by adding Section 8A thereto so as to provide that the State Water Conservation Board may mortgage

property, and by adding Section 21A thereto so as to provide that the State Water Conservation Board shall be a body corporate; and declaring an emergency." Referred to Committee on Water Conservation and Flood Control.

Senate Bill No. 55, introduced by Oliver: A Bill for an Act entitled: "An Act to permit real property to be redeemed from tax sale by paying the original tax, provided such original taxes be paid on or before December first, 1936, and extending the time of taking tax deed to December first, 1936." Referred to Committee on Revenue and Taxation.

Senate Bill No. 90, introduced by Sparling: A Bill for an Act entitled: "An Emergency Act relating to the granting of relief from mortgage foreclosure and from execution sales of real estate; providing for extending the period of redemption from said mortgage foreclosure and execution sales; and designating the procedure to obtain such relief and the authority of courts in relation thereto; limiting the right to maintain actions for deficiency judgments; extending the expiration of certain periods of redemption, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Judiciary.

Miller of Roosevelt and Mundy of Hill were appointed by the Speaker, to notify the Honorable Senate that the Governor has requested a Joint Session at 12:00 o'clock noon today.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Burris of Deer Lodge in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That House Bill No. 374 do pass.

That House Bill No. 245 be passed temporarily.

That House Bill No. 327 do pass.

That Substitute House Bill No. 255 do pass.

BURRIS, Chairman.

On motion of Burris, report adopted.

The House recessed at the call of the Chair.

House resumed. Mr. Speaker in the Chair.

The Speaker appointed Stimatz and Harwood to escort the Governor to the House for the Joint Session.

President Pro Tem of the Senate in the Chair.

The Joint Session was called to order.

The Secretary of the Senate called the roll of the Senate.

The Chief Clerk of the House called the roll of the House. A quorum was present.

The President Pro Tem presented his Excellency, Governor Frank H. Cooney, to the Joint Session.

The following message was delivered by the Governor:
To the Members of the Twenty-fourth Legislative Assembly:

In a message previously delivered to you I recommended certain legislation in relation to a water conservation program and general development program for the State of Montana. I regret very much my inability at that time to present to you a definite program of necessary and desir-

able legislation. The delay in presenting this most important legislation for your consideration is due to the fact that our program must be worked out in conjunction with the Government of the United States. The parent government had, prior to the convening of the present Legislative Assembly, promised to advise us in detail as to the necessary and desired legislation. A communication to this effect had been previously received by me from President Roosevelt. The necessary legislation could not be prepared until we were advised as to its details by the Federal Government, and such information has only recently been received.

Recently there have been presented for your consideration three bills of outstanding importance to the people of the State of Montana, and certain other bills covering different aspects of this program. These three bills are:

Senate Bill No. 101, which is a bill prepared by counsel for the Public Works Administration at Washington, D. C. We are advised that this bill must be passed as presented, in order to complete the loan for the irrigation of the Rock Creek Valley in Carbon County, Montana, and the similar projects which were described in my previous message.

One bill which has been presented in identical language in the Senate and House by the Committees on Conservation and Flood Control, being Senate Bill No. 127, and House Bill No. 399, and which bill was prepared, based on recommendations and suggestions from Washington, in order to enlarge to the fullest scope possible the powers of the State Water Conservation Board to deal with the Federal Government.

The third measure is the bill for appropriating funds for the use of the State Water Conservation Board. This legislation contains much of the detailed procedure recommended in my previous message. Since that time Mr. Marshall Dana of Portland has spoken to you of this program in connection with its national aspects.

Owing to lack of crops in the State of Montana, poor prices and the general economic depression, it has been necessary to furnish aid and relief during the past year at great expense to large numbers of our people. The greater portion of the funds for this relief have been received from the Federal Government. Unless some extensive plan for the rehabilitation of this state is adopted by you this immense burden of relief must continue. I am advised by the President that he desires to turn from direct relief to work relief. The only plan by which we may solve this problem and rehabilitate the State of Montana is in connection with water conservation projects. The work of the Water Conservation Board and the State of Montana on this program has already received the approval of the Federal Government.

On the one hand a program must be devised by your body to raise immense sums of money to take the place of relief funds previously furnished by the Government of the United States, or we must develop a program which will relieve our people from a large portion of this burden. The program presented, I believe, will accomplish those things, and will furnish the necessary employment to thousands of Montana citizens out of work, and bring about the construction of great water conservation works, which will insure the future prosperity of the state, and may easily make this state the first to recover from the great depression which has prevailed throughout the country. To accomplish this purpose it is necessary to clothe some agency in the state with adequate powers to fully cooperate with the Federal Government.

For this reason I am recommending to you that the powers of the Water Conservation Board be greatly increased rather than that a new agency or agencies be created in this state, as I believe you feel that the

creation of any boards and agencies might hinder rather than help in the carrying out of this program.

It is necessary for this board to have adequate financial support. Its purpose must be compared with the purposes of the Federal Relief Organization in this state.

As the program of this board has been approved at Washington and we are assured that these necessary projects may be constructed with Federal funds to be paid by the parties interested and who receive the benefits therefrom, and no liability therefor will rest upon the State of Montana, we are working in full accord with the plans of the President.

The State Water Conservation Board has already completed surveys in large portions of the state. This work must go on and appropriations equal to the appropriations of last year are necessary for that purpose. It appears that plans are generally approved and yet the matter is delayed from week to week and from month to month, by reason of the fact that the state itself is not able to make expenditures and provide funds for immediate work and such instant cooperation with Federal Government as would very greatly lessen the time within which projects may be started by that authority.

It may be necessary to construct certain smaller projects to be owned entirely by the State of Montana and paid for by the people or localities receiving the benefits. In some way the state must show its full cooperation with the Federal Government and its willingness to carry a portion of the burden in connection with the loans and grants which we are to receive from the government. I believe that the projects are adequate security not only as to the funds advanced by the Federal Government, but also those advanced by the State of Montana, so that all moneys advanced can be returned from the lands and people who will be benefited thereby. And just as a relief organization must be trusted to expend honestly and efficiently money set aside for direct relief, so I believe it will be necessary for you to depend upon the judgment and discretion of the Water Conservation Board of this state to expend the funds which are asked for in the appropriation bill mentioned.

I wish to thank the Legislature for the cooperation and careful consideration of problems which have been heretofore presented to you, and in this program, which is presented in the bills mentioned, I would ask that you join with me in this program in its entirety, as it offers an opportunity never before given to the State of Montana to develop its resources and bring a permanent prosperity to the people of the state.

The President Pro Tem appointed Senator Sparling, Senator Simmons and Representative Leavitt to escort the Governor to his chambers.

It was moved by Byrne, duly seconded and carried, that 500 copies of the Governor's message be printed.

It was moved by Byrne, duly seconded and carried, that the Joint Session be dissolved.

House recessed until 2:00 o'clock.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following considered correctly engrossed: House Joint Memorial Nos.

8 and 5. House Memorial No. 2. Substitute House Bill No. 255 and House Bill No. 374.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bills Nos. 311 and 427.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing, beg leave to report the following correctly printed: House Bills Nos. 532, 123, 329, 25, 336, 275, 394, 246, 409, 266, 468, 341, 69, 188, 316, 241, 489. Substitute House Bill No. 29, House Joint Memorial No. 11, and House Joint Resolution No. 7.

McCAUSLAND, Chairman.

Without objection, report adopted.

MOTIONS AND RESOLUTIONS

The following motion was put, duly seconded and carried: That all persons, not members of the House or Senate, except immediate members of the family of a member, having special interest in any measure pending before this body, be excluded from the floor while the House is in session, and that the Sergeant-at-Arms be instructed to rigidly enforce this provision.

Signed,
ROLPH,
MOSS,
BYRNE.

It was moved by Burris, duly seconded and carried, that Substitute House Bill No. 28 be taken from General Orders and re-referred to Committee on Appropriations.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 334, entitled: "An Act to amend Section 4461 of the Revised Codes of Montana of 1921, relating to the duties of the Board of County Commissioners," respectfully report as follows: That House Bill No. 334, do not pass.

BALLARD, Chairman.

On motion of Ballard, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 436, entitled: "An Act to authorize Boards of County Commissioners to take assignments of rent due to property owners under certain conditions in satisfaction for taxes due from said property owners," respectfully report as follows: That House Bill No. 436 do not pass.

BALLARD, Chairman.

On motion of Ballard, report adopted.

Mr. Speaker: We, your Committee on Mines and Mining, having had under consideration House Bill No. 404, entitled: "An Act prohibiting one man working alone in stopes, drifts, cross-cuts, rills, shafts, winzes, jacket sets, or any place where excavation work is carried on in underground metal mines; making an exception in certain cases, and providing a penalty

therefor, and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 404 be amended as follows: Amend Section 1, line 9, by inserting after the word, "corporation" the following, "engaging in mining." In line 10, by striking the word, "man" and inserting in lieu thereof the word, "employee." In line 14, by striking the word "man", and inserting in lieu thereof the word, "employee." In line 18, by striking out the period and inserting a semi-colon and the following, "provided further, that this Act shall not apply where the person, firm, association, partnership, company or corporation engaged in mining, employs three or less miners in underground work." Amend Section 2, line 19, by striking out the word, "man" and inserting in lieu thereof, the word, "employee." In line 22, by striking out the word, "man" and inserting in lieu thereof, the word, "employee." In line 23, by striking out the word, "workman" and inserting in lieu thereof, the word, "employee." And as amended, be printed and placed on General Orders.

MITCHELL, Chairman.

On motion of Mitchell, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 322, entitled: "An Act to amend Section 8259 of the Revised Codes of Montana, 1921, as amended by Chapter 14 of the Laws of the Nineteenth Legislative Assembly of the State of Montana, relating to the recording and filing of assignments of mortgages and requiring that the same shall contain the post office address of the assignee and prohibiting the recording thereof unless containing such post office address, and to repeal Section 8260 of the Revised Codes of Montana, 1921," respectfully report as follows: That House Bill No. 322 do pass.

BALLARD, Chairman.

On motion of Ballard, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 254, entitled: "An Act providing for certain notices to be given by County Commissioners in event of sale by county of real estate which the county had theretofore acquired by tax deed, and providing for right of redemption by last owners, judgment debtors, mortgagees, or assignees of record," respectfully report as follows: That House Bill No. 254 do not pass.

BALLARD, Chairman.

On motion of Ballard, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 472, entitled: "An Act to amend Sub-section 5 of Section 4465 of the Revised Codes of the State of Montana of 1921, as amended by Chapter 100 of the Session Laws of the Twenty second Legislative Assembly of 1931, relating to certain duties of the Board of County Commissioners," respectfully report as follows: That House Bill No. 472 do pass.

BALLARD, Chairman.

On motion of Ballard, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 214, entitled: "An Act to amend Section 2214 of the Revised Codes of Montana of 1921, as amended by Chapter 85 of the Session Laws of 1927, relative to the validating of tax sales and deeds heretofore or hereafter made, defining the rights of original owners or claimants of property or of any interest therein or lien thereon, and of persons (including counties) who have acquired or attempted to acquire or may hereafter acquire or attempt to acquire title to prop-

erty under any tax sales, or their successors," respectfully report as follows: That House Bill No. 214 do pass.

BALLARD, Chairman.

On motion of Ballard, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 367, entitled: "An Act to amend Section 4917 of the Revised Codes of Montana of 1921, regulating the fees of County Clerks," respectfully report as follows: That House Bill No. 367 do not pass.

BALLARD, Chairman.

On motion of Ballard, report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 328, entitled: "An Act to regulate the nomination and election of the State Superintendent of Public Instruction and the County Superintendent of Schools; providing for a primary ballot and a general election ballot without party designation for the nomination and election of said officers; providing the form of nominating petitions for the officers aforesaid; designating the form and arrangement of ballots to be used at said elections; adapting the provisions of existing primary and general election laws to the elections provided for in this Act, and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 328 do not pass.

HAIGHT, Chairman.

On motion of Haight, report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 501, entitled: "An Act to amend Section 678, Revised Codes of Montana, 1921, relative to Election Ballots," respectfully report as follows: That House Bill No. 501 do not pass.

HAIGHT, Chairman.

On motion of Haight, report adopted.

Mr. Speaker: We, your Committee on Roads and Highways, having had under consideration House Bill No. 298, entitled: "An Act providing for the appointment of Official Motor Vehicle Inspection Stations in the State of Montana under the State Highway Commission, eligibility for such appointment, providing for periodical inspection of motor vehicles, trucks, trailers and semi-trailers and for the operation of official inspection stations, requiring owners and drivers of such vehicles to comply with the provisions of this Act providing for the enforcement and administration thereof through the State Highway Commission, and making any violation of this Act a misdemeanor," respectfully report as follows: That House Bill No. 298 be amended as follows: On page 3, in Section 4, Division (c), lines 21 and 22, strike out the words (Two Dollars and); also strike out the numeral (\$2.00).

CUSICK, Chairman.

On motion of Cusick, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 325, entitled: "An Act authorizing counties to frame charters for their own government consistent with and subject to the Constitution of Montana," respectfully report as follows: That House Bill No. 325 do pass.

BALLARD, Chairman.

On motion of Ballard, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 410, entitled: "An Act to amend

Section 12288 of the Revised Codes of Montana, 1921, as amended by Chapter 185, Session Laws of 1933, relating to the appointment, salary and duties of probation officers," respectfully report as follows: That House Bill No. 410 do not pass.

BALLARD, Chairman.

On motion of Ballard, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 499, entitled: "An Act requiring the County Surveyor of any county having a total registered vote of 5,475 or over at the last general election, to survey all public highways within such county, not heretofore surveyed, and to prepare suitable plat books," respectfully report as follows: That House Bill No. 499 do not pass.

BALLARD, Chairman.

On motion of Ballard, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 216, entitled: "An Act to amend Section 4916 of the Revised Codes of Montana of 1921, as amended by Chapter 111 of the Laws of the Twentieth Legislative Assembly and by Chapter 89 of the Laws of the Twenty-first Legislative Assembly and by Chapter 121 of the Laws of the Twenty-third Legislative Assembly of the State of Montana, relating to the fees, mileage and expenses of sheriffs," respectfully report as follows: That House Bill No. 216 do not pass.

BALLARD, Chairman.

On motion of Ballard, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 323, entitled: "An Act to provide for the recording of subordination agreements or waivers in favor of subsequent purchasers, encumbrancers or mortgages in case of real estate mortgages and for the filing thereof in case of chattel mortgages," respectfully report as follows: That House Bill No. 323, do pass.

BALLARD, Chairman.

On motion of Ballard, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 218, entitled: "An Act to regulate and license the manufacture and sale, at wholesale or retail, of any and all alcoholic liquors or beverages in the State of Montana; providing for a license tax to be paid by wholesale or retail vendors other than the State of Montana, both as respects licenses issued by the state as well as by cities within the state; providing for the apportionment and distribution of fees collected or moneys earned in the administration of the law, declaring the policy of the law in the sale of alcoholic beverages; and repealing Chapter 105 of the laws of 1933," respectfully report as follows: That House Bill No. 218 be amended as follows:

Amend Section 5, page 3, on line 6, after the word "Board" by inserting the following: "and shall be paid monthly such salary as the board shall prescribe."

Amend Section 5, page 3, on line 7, by striking out the word "and" before the word "shall" and inserting in lieu thereof the word "he".

Amend Section 6, page 3, on line 2, after the word "clerk" by striking out the words: "To be paid a salary of Three Thousand Dollars (\$3,000.00) per year." and inserting in lieu thereof the words: "who shall be paid monthly such salary as the board shall prescribe."

Amend Section 6, page 3, on line 3 before the word "shall" by striking out the word "who" and inserting in lieu thereof the word "he".

Amend Section 6, page 3, on line 5, after the word "Act" by striking out the word "who" and inserting in lieu thereof the word "and."

Amend Section 6, page 3, line 8, by adding after the word "examiner" the following sentence: "He shall furnish a bond in such amount as the board may require."

Amend Sub-section (r) of Section 65, page 27, on line 31 by striking out the sentence "vehicle" shall be construed to mean any vehicle duly and regularly licensed by the Public Service Commission to operate in the state" and inserting in lieu thereof the following sentence "Other vehicles" shall be construed to mean passenger carrying aeroplanes and busses engaged in interstate commerce, and that the same be printed and placed on General Orders, as amended.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Petroleum, Gas and O.I, having had under consideration House Bill No. 284, entitled: "An Act to amend Section 1 of Chapter 17 of the Acts of the Twentieth Legislative Assembly of the State of Montana, as amended by Section 1 of Chapter 168 of the Acts of the Twenty-first Legislative Assembly of the State of Montana, and by Section 1 of Chapter 175 of the Acts of the Twenty-second Legislative Assembly of the State of Montana; providing a method by which refund or drawback may be obtained of license taxes paid on gasoline handled, and prescribing the procedure for obtaining refund or drawback," respectfully report as follows: That House Bill No. 284 do pass.

MINETTE, Chairman.

On motion of Emmons, report adopted.

Mr. Speaker: We, your Committee on Petroleum, Gas and Oil, having had under consideration House Bill No. 305, entitled: "An Act to amend Section 1, Chapter 17, of the Laws of the Twentieth Legislative Assembly of the State of Montana, as amended by Section 1, Chapter 168 of the Laws of the Twenty-first Legislative Assembly of the State of Montana, as amended by Section 1, of Chapter 175 of the Laws of the Twenty-second Legislative Assembly of the State of Montana; providing a method by which refund or drawback may be obtained of license taxes paid on gasoline handled, and prescribing the procedure for obtaining a refund or drawback, and providing for specific exemptions on gasoline tax as to counties," respectfully report as follows: That House Bill No. 305 do not pass.

MINETTE, Chairman.

On motion of Emmons, report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 478, entitled: "An Act to provide for the incorporation of grazing district associations to share in the conservation, restoration, improvement and the use of forage resources in the State of Montana; to authorize such associations to lease, purchase or otherwise acquire county or other lands for grazing purposes and to provide for the management and the use of such lands which will best conserve, restore, and improve the forage value thereof; providing for the approval of by-laws of such corporations, either heretofore existing or hereafter formed by the Montana Grazing Commission, making such Montana Grazing Commission the supervisory authority over cooperative grazing districts in Montana; providing for the fixing of fees for the administration of such district and for the administration of grazing districts under such associations and said Montana Grazing Commission, and to amend Chapter

66 Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933," respectfully report as follows: That House Bill No. 478 do pass.

SHERMAN, Chairman.

On motion of Sherman, report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 309, entitled: "An Act to amend Section 3378 of the Revised Codes of the State of Montana, 1921, relative to the liability of the owner or mortgagee of livestock for damages sustained by the owner or occupant of premises enclosed by legal fence," respectfully report as follows: That House Bill No. 309 be amended as follows: By inserting in line 6, Section 1, after the word "damages" the following: "but such damage and costs shall in no event be greater than the value of the stock so held for trespass and damage." And that said bill, as amended, do pass.

SHERMAN, Chairman.

On motion of Sherman, report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 14, entitled: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section Four (4) of Article Eighteen (18) of the Constitution of the State of Montana, relating to the hours of labor in all industries, occupations, undertakings and employments," respectfully report as follows: That House Bill No. 14 do pass.

MANNING, Chairman.

On motion of Manning, report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 19, entitled: "An Act to provide for the submission to the qualified electors of the State of Montana of an amendment to the Constitution of the State of Montana by adding thereto an article to be known as Article XXII, providing for the payment of adjusted compensation to bona fide residents of the State of Montana who served on active duty in the army, navy or marine corps of the United States in the World War and to such of said persons who being citizens of the United States served in the naval, military or air forces of any of the governments associated with the United States during said war, and authorizing the incurring of an indebtedness; authorizing the issuing of bonds; providing for the levy of a tax," respectfully report as follows: That House Bill No. 19 do not pass.

MANNING, Chairman.

On motion of Manning, report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 20, entitled: "An Act for the submission to the qualified electors of the State of Montana, an amendment to Section 39 of Article 5 of the Constitution of the State of Montana, relative to the obligations and liabilities held or owned by the state, or any county or municipal corporation therein," respectfully report as follows: That House Bill No. 20 do pass.

MANNING, Chairman.

On motion of Manning, report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 24, entitled: "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section 5 of Article XVI of the Constitution of the State of Montana, as amended by Chapter 80 of the Laws, Resolutions and Mem-

orials of the State of Montana, passed by the Twenty-third Legislative Assembly in Regular Session, and approved by the vote of the qualified electors of the state at the general election on November 6, 1934, by eliminating from said Section 5 of Article XVI of the said Constitution, the Office of County Superintendent of Schools," respectfully report as follows: That House Bill No. 24 do not pass.

MANNING, Chairman.

On motion of Manning, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 173, entitled: "An Act to amend Chapter 51 of the Session Laws of the Extraordinary Session of the Twenty-third Legislative Assembly, 1934, relating to the license tax on the gross proceeds of electricity and electrical energy, and providing for the distribution thereof," respectfully report as follows: That House Bill No. 173 do pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 364, entitled: "An Act amending Section 1, of Chapter 65 of the Laws of the Eighteenth Legislative Assembly, 1923, relating to a tax on inheritances and transfers of property, said amendment providing for an extension of the time within which certain transfers shall be liable to taxation and for the determination of the time as to when such transfers will be presumed to have been made; adding certain duties to the State Registrar of Vital Statistics in connection with the report of deaths and to County Clerks in regard to reports to the State Board of Equalization of certain property transfers," respectfully report as follows: That House Bill No. 364 be amended as follows: Section 1, in paragraph 7, of the original bill by striking out in lines 2 and 3 of said paragraph the words and figures "Twenty-five Thousand Dollars (\$25,000.00)" and insert in lieu thereof the words and figures "Fifty Thousand Dollars (\$50,000.00)", and striking out in lines 5 and 6 of the same paragraph the words and figures "Twenty-five Thousand Dollars (\$25,000.00)" and inserting in lieu thereof the words and figures "Fifty Thousand Dollars (\$50,000.00)". And as amended, do pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 299, entitled: "An Act defining 'cosmetics and kindred products'; providing a license to engage in the business of selling the same; providing a license tax on the retail price of such cosmetics or kindred products sold or given away; providing for the payment and distribution of such license fee and license tax and providing for the regulation of the sales thereof, the enforcement of such tax and license, and penalty for violation of this Act; and defining the duties of state and county officials," respectfully report as follows: That House Bill No. 299 be printed and placed on General Orders.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 233, entitled: "An Act to amend Sections 5 and 7 of Chapter 155, Session Laws of the Twenty-third Legislative Assembly, relating to license fees for opening, establishing and operating or maintaining one or more stores," respectfully report as follows: That House Bill No. 233 be amended as follows: On page 2, line 4 of the original bill, after the comma following the word "exclusively" there

be inserted the following words: "and/or grain elevators dealing exclusively in grains, seeds or other similar farm products or coal."

On page 3, line 14, of the original bill, after the comma following the word "exclusively" there be inserted the following words: "and/or grain elevators dealing exclusively in grains, seeds or other similar farm products or coal." And as amended, be printed and placed on General Orders.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 278, entitled: "An Act to amend Section 19, of Chapter 181, Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933, relating to an Act providing for the levy and collection of an income tax, and eliminating the filing fee therefrom," respectfully report as follows: That House Bill No. 278 do not pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 280, entitled: "An Act to provide for the sale of spirituous and vinous liquors at wholesale by the State of Montana; creating the Montana Liquor Control Board, and providing for the operation thereof; providing for the issuance of licenses for the retail sale of such liquors in the State of Montana and providing for the distribution of moneys collected hereunder for schools, emergency relief, old age pensions and other purposes and validating any action of the Montana Liquor Control Board prior to the passage of this Act," respectfully report as follows: That House Bill No. 280 do not pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 438, entitled: "An Act to amend Section 3718, Revised Codes of Montana, 1921, relating to dumping refuse in streams," respectfully report as follows: That House Bill No. 438 do pass.

YORK, Chairman.

On motion of York, report adopted.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 400, entitled: "An Act relating to the disposal of outlaw fish taken from the rivers, streams and lakes of the State of Montana, by net, under the supervision of the members of the Fish and Game Commission or its employees," respectfully report as follows: That House Bill No. 400 do pass.

YORK, Chairman.

On motion of York, report adopted.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 430 entitled: "An Act to amend Section 2473 of the Revised Codes of Montana, 1921, relative to the establishment of County Boards of Health, designating the persons who shall constitute said board, defining their qualifications, providing for the County Health Officer, prescribing his powers and duties and providing for the manner of payment of the salary of the County Health Officer," respectfully report as follows: That House Bill No. 430 do not pass.

YORK, Chairman.

On motion of York, report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 26, entitled: "An Act providing for the submission of an amendment to the Constitution of the State of Montana relating to the Legislative authority thereof by amending Sections One, Two, Three, Four, Five, Six, Seven, Nine, Twelve, Sixteen, Nineteen, Twenty-one, Twenty-two, Twenty-four, Forty and Forty-five of Article V, and repealing Sections Eight, Ten, Eleven, Thirteen, Fourteen, Twenty-seven and Thirty-two of Article V and Sections Two, Three, Four, Five and Six of Article VI of such Constitution," respectfully report as follows: That House Bill No. 26 do not pass.

MANNING, Chairman.

On motion of Manning, report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 27, entitled: "An Act to submit to the electors of the State of Montana the question whether there shall be a convention to revise, alter or amend the Constitution of the State of Montana," respectfully report as follows: That House Bill No. 27 do not pass.

MANNING, Chairman.

On motion of Manning, report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 35, entitled: "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section 4 of Article XVI of the Constitution of Montana; relating to County Commissioners and providing that only the electors residing in each commissioner district shall vote for the commissioner to be elected from that district," respectfully report as follows: That House Bill No. 35 do not pass.

MANNING, Chairman.

On motion of Manning, report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 113, entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Section 2 of Article 9 of the Constitution of the State of Montana relating to the qualifications required of persons to entitle them to vote at General Elections, for all officers elective by the people and upon questions that may be submitted to the vote of the people or electors," respectfully report as follows: That House Bill No. 113 do not pass.

MANNING, Chairman.

On motion of Manning, report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 131, entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Article 12, Section 2, relating to revenue and taxation, providing that improvements on land other than city and town lots be exempt from taxation," respectfully report as follows: That House Bill No. 131 do not pass.

MANNING, Chairman.

On motion of Manning, report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 134, entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Article 11, Section 11, relating to the State Board of Education and providing for their election," respectfully report as follows: That House Bill No. 134 do not pass.

MANNING, Chairman.

On motion of Manning, report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 371, entitled: "An Act to provide for the submission to the qualified electors of the State of Montana of an amendment to the Constitution of the State of Montana, adding thereto Article 9, Section 7 and 11 of the Constitution of Montana to prohibit the election of any person or persons holding office in any corporation, firm or company, or any attorney at law, or person or persons engaged in disreputable profession or occupation, to be elected to any legislative or administrative body, United States Senator, United States Representative, State Senator, State Representative, Governor, County Officers, City Officers, Town Officers, School Trustees, and prohibiting the appointing of any such persons by any officer so elected," respectfully report as follows: That House Bill No. 371 do not pass.

MANNING, Chairman.

On motion of Manning, report adopted.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 178, 99, 127 and 80.

MONAHAN, Chairman.

Without objection, report adopted.

I have read House Bill No. 99, as reported from the Enrolling Committee and certify same to be correct.

BOONE.

I have read House Bill No. 178, as reported from the Enrolling Committee and certify same to be correct.

BERTSCHE.

I have read House Bill No. 127, as reported from the Enrolling Committee and certify same to be correct.

TOOMEY.

I have read House Bill No. 80, as reported from the Enrolling Committee and certify same to be correct.

FOOR.

The Speaker announced he was about to sign House Bill No. 178, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 99, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 127, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 80, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 308, entitled: "An Act to amend Section 5397 of the Revised Codes of Montana of 1921, relating to petitioning for the abandonment of the commission form of government in cities by decreasing the percentage of voters required to petition for abandonment and providing that the last mayoralty election shall be the basis of determining the number of electors for the purpose of the petition," respectfully

report as follows: That House Bill No. 308 be amended as follows: Line 22 on page 1, Section 1, the words, "accounts" be stricken out and the word, "acts" be inserted. Line 7 on page 1, Section 1, the word, "be" be stricken out. And as amended, do pass.

GOODWIN, Chairman.

On motion of Goodwin, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 401, entitled: "An Act to provide a limitation on the yearly increase of tax levies in the State of Montana," respectfully report as follows: That House Bill No. 401 do not pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 294, entitled: "An Act requiring license for the operation, maintenance, or establishment of any place of business, wholesale, or retail, bank, or banks, store, or stores, grain elevator or elevators, meat market, or met product markets, gasoline station, or gasoline stations, lumber yard, or lumber yards, whether selling and buying lumber and lumber products exclusively or not, and mercantile establishments of every kind and character, in this state, prescribing the license and filing fees to be paid therefor: and providing for the collection and disposition thereof, and the powers and duties of the state director of licenses, or State Treasurer in connection therewith, and prescribing penalties for the violation thereof; and declaring unlawful the operation, maintaining, opening or establishment of stores without a license; defining certain terms; providing for renewals of license, providing that the revenue derived shall be deposited fifty per cent (50%) in the Old Age Pension Fund of Montana, which may now be in existence, or, which may hereafter be created and fifty per cent (50%) in the General Fund of the State of Montana," respectfully report as follows: That House Bill No. 294 do not pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 129, entitled: "An Act to amend Sections 5 and 10 of Chapter 155 of the Laws of the Twenty-third Legislative Assembly of the State of Montana, relating to the operation, maintenance, opening or establishment of stores in this state, prescribing the license and filing fees to be paid therefor, and the disposition thereof, and the powers and duties of the State Board of Equalization in connection therewith, and prescribing penalties for the violation thereof, said amendment being for the purpose of changing the fees and the disposition thereof." respectfully report as follows: That House Bill No. 129 do not pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 512, entitled: "An Act to amend Section 5080, Revised Codes of Montana, 1921, relating to notice of claim to a city or town for injury alleged to have been suffered by any person by reason of any defect in any bridge, street, road, sidewalk, culvert, park, public ground, ferry boat, or public works, of any kind in said city or town, and providing that at the trial of any action arising out of said alleged injury the plaintiff shall be required to prove that said city or town had actual notice of said defect at least twenty-four hours before the oc-

curance of said alleged injury," respectfully report as follows: That House Bill No. 512 do not pass.

GOODWIN, Chairman.

On motion of Goodwin, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 375, entitled: "An Act to amend Section 1 of Chapter 6 of the Session Laws of the Twenty-third Extraordinary Session, 1933-34 and in the amendment thereof relating to and authorizing any county, city, town or school district having an outstanding valid indebtedness in an amount in excess of fifty per centum (50%) of the total indebtedness which it may lawfully incur under the provisions of the Constitution of this state limiting the amount of indebtedness which may be incurred by counties, cities, towns and school districts, to refund its outstanding bonded indebtedness and providing the method and procedure therefor as amended by and under the provisions of Senate Bill No. 20 of the Regular Session of the Legislative Session of the Twenty-fourth Legislative Assembly of the State of Montana, 1935, herein particularly provided and extending the privileges of said Act to towns of less than one thousand inhabitants regardless of their relative percentage of total indebtedness to total assessed valuation, without qualification other than the certain three per centum provided generally by Section Six (6) of Article Thirteen (13) of the Constitution of the State of Montana," respectfully report as follows: That House Bill No. 375 do pass.

GOODWIN, Chairman.

On motion of Goodwin, report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 450, entitled: "An Act to amend Chapter 62 of the Laws of the Twentieth Legislative Assembly of the State of Montana, 1927, relating to the giving of notice of proposed Constitutional amendments by publication, mailing and otherwise," respectfully report as follows: That House Bill No. 450 do pass.

MANNING, Chairman.

On motion of Manning, report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 357, entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Section 9 of Article XIX of the Constitution of the State of Montana relative to the proposal of constitutional amendments, said amendment being for the purpose of changing the number of amendments allowed to be submitted at each election to ten," respectfully report as follows: That House Bill No. 357 be amended as follows: By striking out the word "ten", appearing in line six (6) of the title, and inserting in lieu thereof, the word "seven", and by striking out the word "ten", appearing in line sixteen (16) of Section 2, and inserting in lieu thereof, the word "seven." And as amended, do pass.

MANNING, Chairman.

On motion of Manning, report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 2, entitled: "An Act for the submission to the qualified electors of the State of Montana, an amendment to Section 2, of Article 12, of the Constitution of the State of Montana, relating to the exemption of property from taxation and authorizing the Legislature to exempt property used for residential purposes, in an amount of not to exceed \$3,000.00 of the value thereof," respectfully report as follows: That House Bill No. 2 be amended as follows: That the figures "\$3,000.00" appearing in line six (6) of the title be changed to read "\$2,-

500.00." That the figures "\$3000.00" appearing in line eighteen (18) of Section 2, be changed to read "\$2500.00". That the figures "\$3000.00" appearing in line twelve (12) of Section 3, be changed to read "\$2500.00." That the figures "\$3000.00" appearing in line seventeen (17) of Section 3, be changed to read "\$2500.00" And as amended, do pass.

MANNING, Chairman.

On motion of Manning, report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 1, entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Article XVIII of the Constitution of the State of Montana, relating to labor, by changing Section 3 of said Article XVIII to provide for a period of six hours or less to constitute a day's work on all works or undertakings carried on by any municipal, county, or state government, and school districts of the first class, and on all contracts let by them, and for all janitors, engineers, firemen, caretakers, custodians, and laborers employed in and about any buildings, works, or grounds used or occupied by any municipal, county, or state government, school district of the first class, flour mills, packing plants, and in mills and smelters for the treatment of ores, and in underground mines, and in the washing, reducing or treatment of coal, and in handling hoisting engines at or in any mine, and in cement plants, quarries, hydro-electric dams, strip mining, sugar refineries, retail stores, wholesale warehouses used in supplying retail establishments with goods, and in the erection, construction, repair, improvement, or maintenance of buildings; and for telephone operators," respectfully report as follows: That House Bill No. 1 do not pass.

MANNING, Chairman.

On motion of Manning, report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 205, entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to the Constitution of the State of Montana by adding a new article thereto relating to the recall of all elective public officers; providing the procedure for such recall and for the election of the successors to such offices," respectfully report as follows: That House Bill No. 205 do pass.

MANNING, Chairman.

On motion of Manning, report adopted.

It was moved by Rolph, duly seconded, that the majority report on House Bill No. 428, reported this morning, and temporarily passed, be adopted.

On substitute motion, it was moved by O'Brien, duly seconded and carried, that the minority report be adopted on House Bill No. 428, reported this morning, and temporarily passed, be adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

The Speaker,
House of Representatives,
Helena, Montana.

I have the honor to advise that I have this day approved the following House measures:

H. B. No. 175—Authorizing the extension of the term of existence of any corporation organized under the laws of the State of Montana.

H. B. No. 177—Relative to the definition of lotteries.

F. H. COONEY, Governor.

MOTIONS AND RESOLUTIONS

It was moved by Rolph, duly seconded and carried, that the House reconsider its action on Substitute House Bills Nos. 39 and 40.

It was moved by Rolph, duly seconded and carried, that House Bills Nos. 39 and 40 be taken from Third Reading and be referred to a Committee of Three to be appointed by the Speaker and such Committee to properly amend the bills. Whereupon the Speaker appointed Rolph, Groene of Fergus and Gray as such committee to act on Substitute House Bills Nos. 39 and 40.

It was moved by Fowler, duly seconded, that the House reconsider its action taken yesterday on House Bill No. 230. A roll call was demanded by the required number.

A Call of the House was demanded. On motion of Burris, call of the House was dispensed with.

Whereupon, motion to reconsider was carried by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Burris, Busch, Byrne, Chamberlain, Conner, Connors, Coultas, Cusick, Egan, Emmons, Foor, Fowler, Gordon, Green (Dawson), Hamilton, Harwood, Haggan, Hedden, Holding, Hinerman, Johnson, Kathan, Kruse, Kuhl, Lasby, Leavitt, Liggett, Lippard, Logan, Lott, Lovell, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Ormsbee, Parker, Petersen (Sheridan), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sherman, Southmayd, Spiegel, Stimatz, Whaley, Worden, York, Mr. Speaker. Total 63.

Noes: Acher, Boone, Buttelman, Doe, Emmett, Ewing, Goodwin, Gray, Hall, Harlen, Joffray, Kelly, Lemmer, McCausland, Minette, Mundy, Neary, Nelson, O'Brien, O'Connor, Padbury, Peterson (Gallatin), Ritch, Stevens, Stromnes, White (Judith Basin), White (Hill). Total 27.

Absent and not voting: Chapman, Ecton, Groene (Fergus), Heavlin, Leary, Metlen, Nutting, O'Byrne, Smith, Watson. Total 10.

The following passed their vote: Haight, Toomey. Total 2.

The Speaker: Sixty-three have voted "aye"; twenty-seven have voted "no"; the motion was carried.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bills Nos. 296, 327, 183, 147, 185, Substitute House Bill No. No. 66 and House Joint Memorial No. 9.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 452, entitled: "An Act to amend Section 1 of Chapter 6 of the Session Laws of the Twenty-third Extraordinary Session 1933-34, relating to and authorizing any county, city, town or school district having an outstanding valid indebtedness in an amount in excess of fifty per centum (50%) of the total indebtedness which it may lawfully incur under the provisions of the constitution of this state limiting the amount of indebtedness which may be incurred by county, city, town and school district, to refund its outstanding bonded indebtedness and providing a method and procedure therefor as amended by and under a provision of Senate Bill No. 20 of the Regular Session of the Legislative Session of the Twenty-fourth Legislative Assembly of the State of Montana, 1935, herein particularly providing and extending the privileges of

said Act to towns of less than one thousand inhabitants regardless of their relative percentage of total indebtedness to total assessed valuation, without qualification other than the certain three per centum provided generally by Section Six (6) of Article Thirteen (13) of the Constitution of the State of Montana," respectfully report as follows: That House Bill No. 452 do not pass.

GOODWIN, Chairman.

On motion of Goodwin, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 242, entitled: "An Act providing for the levying of taxes when a payment of the interest and principal of outstanding bonds of counties, cities, towns and school districts, and providing penalty for the failure, neglect or refusal to make such interest and sinking fund levies as are required by law, and repealing Section 26 of Chapter 188, and Section 23 of Chapter 160, of the Laws of the Twenty-second Legislative Assembly, and Section 27 of Chapter 147 of the Laws of the Twentieth Legislative Assembly, and all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 242 do not pass.

GOODWIN, Chairman.

On motion of Goodwin, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 270, entitled: "An Act to amend Section 1 of Chapter 16 of the Session Laws of 1929, relating to the qualifications of police officers in the cities and towns in the State of Montana," respectfully report as follows: That House Bill No. 270 do not pass.

GOODWIN, Chairman.

On motion of Goodwin, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 271, entitled: "An Act to amend Section 5085 of the Revised Codes of Montana of 1921, relating to the funding of judgments rendered against cities and towns," respectfully report as follows: That House Bill No. 271 do not pass.

GOODWIN, Chairman.

On motion of Goodwin, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 31, entitled: "An Act to amend Section 8 of Chapter 178, Laws of 1933, providing for a budget system for making and controlling estimates, expenditures and tax levies for district high school and county high school purposes; prescribing the powers and duties of Boards of School District Trustees and Boards of Trustees of county high schools, Boards of School Budget Supervisors and county boards and officers in connection with the making of such budgets and such estimates, expenditures and tax levies," respectfully report as follows: That House Bill No. 31 do pass.

PETERSON of Valley, Chairman.

On motion of Peterson of Valley, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 30, entitled: "An Act to amend Sections 81 and 82 of Chapter 148 of Session Laws of 1931; an Act to establish a uniform code of laws relative to high schools as a part of the public school system of the State of Montana," respectfully report as follows: That House Bill No. 30 do pass.

PETERSON of Valley, Chairman.

On motion of Peterson of Valley, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 453, entitled: "An Act to amend Section 81 of Chapter 148 of the Session Laws of the Twenty-second Legislative Assembly, 1931, relating to the attendance of high school pupils outside the county of his residence; directing the County Superintendent of Schools to authorize such attendance in certain cases and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 453 do not pass.

PETERSON of Valley, Chairman.

On motion of Peterson of Valley, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 373, entitled: "An Act to amend Section 5 of Chapter 178 of the Laws of the Twenty-third Legislative Assembly, 1933, relative to high school budgets," respectfully report as follows:

That House Bill No. 373 be amended as follows: By striking out after the word, "maximum" in line 26, the following lines, 26, 27, 28, 29, 30, 31 and 32, and on page 2 the lines, 1, 2, 3, 4, 5, 6 and 7. Insert in lieu thereof, the following: "For a school enrolling sixty or fewer pupils the budget shall not exceed One Hundred Seventy Dollars (\$170.00) for each such pupil. For a school enrolling more than sixty (60) pupils the maximum of One Hundred Seventy Dollars (\$170.00) shall be decreased progressively at the rate of Twenty-five Cents (\$0.25) for each such additional pupil until the number enrolled shall have reached a total of one hundred sixty (160) such pupils. For a school enrolling more than one hundred sixty (160) pupils the maximum of One Hundred Forty-five Dollars (\$145.00) shall be decreased progressively at the rate of Fifteen Cents (\$0.15) for each such additional pupil until the total number enrolled shall have reached two hundred sixty (260) such pupils. For a school enrolling more than two hundred sixty (260) pupils the maximum of One Hundred Thirty Dollars (\$130.00) shall be decreased progressively at the rate of Ten Cents (\$0.10) for each such additional pupil until the total number enrolled shall have reached three hundred sixty (360) such pupils. For a school enrolling more than three hundred sixty (360) pupils the maximum of One Hundred Twenty Dollars (\$120.00) shall be decreased progressively at the rate of Five Cents (\$0.05) for each additional pupil until the total enrollment shall have reached five hundred sixty (560) such pupils. For a school enrolling more than five hundred sixty (560) pupils the maximum shall not exceed One Hundred Ten Dollars (\$110.00) for each such pupil," and as amended, do pass.

PETERSON of Valley, Chairman.

On motion of Peterson of Valley, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 415, entitled: "An Act relating to School Trustees of districts of the first class in counties of the sixth and seventh classes, providing for the annual meeting and organization of such trustees, who shall be chairman and secretary thereof and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 415 do not pass.

PETERSON of Valley, Chairman.

On motion of Peterson of Valley, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 265, entitled: "An Act to amend Section 1010, Revised Codes of Montana, 1921, as amended by Chapter 70 of the Session Laws of the Eighteenth Legislative Assembly of 1923, as further amended by Chapter 76 of the Nineteenth Legislative Assembly, 1925, as further amended by Chapter 77 of the Twentieth Legislative Assembly, 1927, as further amended by Chapter 102 of the Twenty-first Legislative

Assembly, 1929, relating to transportation, board, rent, tuition of pupils of any school district or districts of the State of Montana, and providing for furnishing transportation, rent, board and tuition for such pupils and providing for appeal, and providing further that the Board of Trustees of any school district of the first class may at their discretion let a contract for the transportation of pupils in said district subject to the provisions hereinabove contained for a period not to exceed three consecutive school terms," respectfully report as follows: That House Bill No. 265 do pass.

PETERSON of Valley, Chairman.

On motion of Peterson of Valley, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 257, entitled: "An Act to amend Section 44 of Chapter 148 of the Session Laws of the Twenty-second Legislative Assembly of the State of Montana, as further amended by Chapter 156 of the Session Laws of the Twenty-third Legislative Assembly of the State of Montana, relating to district high schools, rent of quarters and transportation of high school pupils and authorizing a tax levy thereof," respectfully report as follows: That House Bill No. 257 do not pass.

PETERSON of Valley, Chairman.

On motion of Peterson of Valley, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Lemmer, duly seconded and carried, that House Bill No. 448 be taken from the Committee on Printing and re-referred to the Committee on Fish and Game.

It was moved by Rolph, duly seconded and carried, that the Clerk be instructed to clear the records in regard to House Bill No. 443, which the Committee on Petroleum, Oil and Gas reported out by mistake.

It was moved by Byrne, duly seconded and carried, that the House pass Third Reading of Senate and House Bills for the day.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Burris of Deer Lodge, in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That the enacting clause be stricken in House Bill No. 245.

That Substitute House Bill No. 232 be amended as follows: Amend the title by striking out in line 6, after "59B" the following: "Said amendment and new sections relating to the following subjects" and inserting in lieu thereof the words "providing for," and as amended, do pass.

That Senate amendments to House Bill No. 182 be concurred in.

That Senate amendments to House Bill No. 53 be concurred in.

That Senate amendments to House Bill No. 91 be concurred in.

That Senate amendments to House Bill No. 100 be concurred in.

That Senate amendments to House Bill No. 103 be concurred in.

That Senate amendments to House Bill No. 118 be concurred in.

That Senate amendments to House Bill No. 160 be concurred in.

BURRIS, Chairman.

On motion of Burris, report adopted.

It was moved by Byrne, duly seconded and carried, that the House adjourn until Wednesday, 9:00 o'clock A. M., February 20, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FORTY-FIFTH DAY

House of Representatives,
Helena, Montana, February 20, 1935.

House convened, pursuant to adjournment, at 9:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by Chaplain.

A quorum for the transaction of business was present.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the forty-fourth legislative day, find the same to be correct.

EWING, Vice-Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 55, 139, 163 and 202, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 10:40 o'clock A. M., delivered to the Governor for his approval.

MONAHAN, Chairman.

Without objection, report adopted.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

Senate amendments to House Bill No. 182, introduced by Groene of Fergus were concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Green (Dawson), Haight, Hall, Hamilton, Harwood, Haugan, Heavlin, Hedden, Holding, Joffray, Johnson, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, McCausland, Manning, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Watson, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 80.

Noes: Ritch. Total 1.

Absent and not voting: Boone, Conner, Coultas, Cusick, Doe, Gray, Groene (Fergus), Harlen, Hinerman, Kathan, Kelly, Lott, Lovell, McLaughlin, Masterson, Metlen, Moss, Stromnes, Toomey, Whaley, Worden. Total 21.

The Speaker: Eighty have voted "aye," one has voted "no"; Senate amendments to House Bill No. 182 were concurred in by the House.

Senate amendments to House Bill No. 53, introduced by Committee on Horticulture were concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Coultas, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Green (Dawson), Haight, Hall, Hamilton, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kruse, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, McCausland, Manning, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Petreson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 80.

Noes: None.

Absent and not voting: Ballard, Boone, Conner, Cusick, Doe, Fowler, Gray, Groene (Fergus), Harlen, Kathan, Kelly, Kuhl, Lott, Lovell, McLaughlin, Masterson, Metlen, Moss, Sherman, Smith, Stromnes, Worden. Total 22.

The Speaker: Eighty have voted "aye," none have voted "no"; Senate amendments to House Bill No. 53 were concurred in by the House.

Senate amendments to House Bill No. 91, introduced by Burris and others, were concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Coultas, Ecton, Egan, Emmett, Emmons, Foor, Goodwin, Gordon, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harwood, Haugan, Heavlin, Hedden, Hinerman, Joffray, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Leavitt, Liggett, Lippard, Logan, McCausland, Manning, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Watson, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 81.

Noes: None.

Absent and not voting: Conner, Cusick, Doe, Ewing, Fowler, Gray, Haight, Harlen, Holding, Kelly, Lemmer, Lott, Lovell, McLaughlin, Masterson, Metlen, Minette, Stromnes, Toomey, Whaley, Worden. Total 21.

The Speaker: Eighty-one have voted "aye," none have voted "no"; Senate amendments to House Bill No. 91 were concurred in by the House.

Senate amendments to House Bill No. 118, introduced by Metlen, were concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Gordon, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, McCausland, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz,

Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 87.

Noes: None.

Absent and not voting: Ballard, Byrne, Cusick, Doe, Fowler, Goodwin, Gray, Harlen, Kelly, Lott, Lovell, McLaughlin, Metlen, O'Brien, Stromnes. Total 15.

The Speaker: Eighty-seven have voted "aye," none have voted "no"; Senate amendments to House Bill No. 118 have been concurred in by the House.

Senate amendments to House Bill No. 160, introduced by Judiciary Committee, by request, were concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Conner, Connors, Coultas, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harwood, Haugan, Heavlin, Hedden, Holding, Joffray, Kathan, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, McCausland, Manning, Masterson Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Moss, Mulholland, Mundy, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 81.

Noes: Stevens. Total 1.

Absent and not voting: Chapman, Cusick, Doe, Ecton, Fowler, Gray, Harlen, Hinerman, Johnson, Kelly, Lott, Lovell, McLaughlin, Metlen, Monahan, Neary, Nelson, Rolph, Smith, Stromnes. Total 20.

The Speaker: Eighty-one have voted "aye," one has voted "no"; Senate amendments to House Bill No. 160 were concurred in by the House.

It was moved by Byrne, duly seconded and carried, that the House pass Third Reading of Senate amendments to House Bills Nos. 100 and 103 for the day.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 354, entitled: "An Act to amend Section 378 and Section 8796 of the Revised Codes of Montana of 1921, relating to the duties and salaries of the Justices of the Supreme Court," respectfully report as follows: That House Bill No. 354 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 75, entitled: "An Act to amend Sections 2 and 5 of Chapter 120 of the Session Laws of the Twenty-first Legislative Assembly of the State of Montana, defining the qualifications of police officers in cities and towns in the State of Montana, providing for the creation of police reserves and specifying salary limitations thereof," respectfully report as follows: That House Bill No. 75 do not pass.

GOODWIN, Chairman.

On motion of Goodwin, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 330, entitled: "An Act to amend Section 135 of the Revised Codes of Montana of 1921, as amended by Chapter 22 of the Laws of the Twenty-first Legislative Assembly of 1929, and Sections 303, 384 and 521 of the Revised Codes of Montana of 1921, relating to the distribution of public documents and reports," respectfully report as follows: That House Bill No. 330 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 363, entitled: "An Act to repeal Sections 1761 and 1762 of the Revised Codes of Montana, 1921, relating to the licensing of chauffeurs and penalties for violations thereof," respectfully report as follows: That House Bill No. 363 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 213, entitled: "An Act to amend Section 4819 Revised Codes of Montana, 1921, relative to the duties of County Attorney," respectfully report as follows: That House Bill No. 213 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 445, entitled: "An Act validating sale of real property heretofore made by a guardian, executor, or administrator and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 445 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 215, entitled: "An emergency Act relating to the granting of relief from mortgage foreclosures and from execution sales of real estate; providing for extending the period of redemption from said mortgage foreclosures and execution sales, and designating the procedure to obtain such relief and the authority of courts in relation thereto; limiting the right to maintain action for deficiency judgments; extending the expiration of certain periods of redemption and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 215 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 506, entitled: "An Act to permit counties which are indebted beyond the limit provided by Section 5 of Article XIII of the Constitution to operate on a cash basis," respectfully report as follows: That House Bill No. 506 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 318, entitled: "An Act relative to the payment of interest on outstanding bonds of any city or county in the State

of Montana; providing for a moratorium of five years on the payment of such interest, and declaring an emergency," respectfully report as follows: That House Bill No. 318 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 62, entitled: "An Act amending Section 8412, Revised Codes of Montana, 1921, as amended by Chapter 143 of the Session Acts of the Eighteenth Legislative Assembly of Montana of 1923, relating to provisions affecting the negotiability of instruments," respectfully report as follows: That Senate Bill No. 62 be not concurred in.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 395, entitled: "An Act relative to jury trials in civil cases when the amount involved is less than Five Hundred Dollars," respectfully report as follows: That House Bill No. 395 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 526, entitled: "An Act providing for the validity of sale of real property in probate proceedings," respectfully report as follows: That House Bill No. 526 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 414, entitled: "An Act to amend Sections 11817, 11818, 11821, 11826, 11827 and 11832 of the Revised Codes of Montana of 1921, relating to the oath of office, duties and powers of grand juries," respectfully report as follows: That House Bill No. 414 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 224, entitled: "An Act relating to sales and conveyances of real property by the Board of County Commissioners; defining "minerals" and "real property" and permitting the board when making sales and conveyances of real property to reserve a per centum of the minerals therein or taken therefrom; providing that the person mining, producing, extracting or otherwise taking any minerals from real property in which a per centum of the minerals have been reserved shall pay to the owner or owners of the mineral reservations the fair market value of the reserved per centum of the minerals mined, produced, extracted or otherwise taken from such real property, which obligation shall run with the unreserved minerals; permitting the sale and conveyance of such mineral reservations or parts minerals reservations or the sale thereof, and validating and confirming reservations, sales, conveyances and all contracts and agreements in connection therewith, which have been heretofore made," respectfully report as follows: That House Bill No. 224 be amended as follows: Amend Section 3, in line one, page 3, of the original bill, after the word, "courthouse," by inserting the following: "and shall

be published at least once in each week for two weeks in a newspaper of general circulation in said county," and that as amended do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 146, entitled: "An Act to amend Sections 4 and 8 of Chapter 105, Session Laws of the Twenty-third Legislative Assembly 1933, relating to the 'State Liquor Control Act of Montana', administration of this Act, creation of board, and its powers and functions," respectfully report as follows: That House Bill No. 146 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 493, entitled: "An Act authorizing a court or judge to reduce the penalty of a bond previously given by an executor or administrator and providing for the filing of a new bond," respectfully report as follows: That House Bill No. 493 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 83, entitled: "An Act amending Chapter One Hundred and Two (102) of the 1933 Session Laws of the State of Montana and defining the offense of kidnaping and prohibiting the payment of a ransom to kidnapers and relating to the trial of same and the punishment therefor and to repeal Sections 10970, 10971 and 10972 of the Revised Codes of Montana of 1921 in relation to kidnaping," respectfully report as follows: That Senate Bill No. 83 be concurred in.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 488, entitled: "An Act to amend Section 5 of Chapter 100 of the Laws of the Twenty-first Legislative Assembly of the State of Montana, 1929, as amended by Chapter 176 of the Session Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933, relative to the redemption on land from tax sale," respectfully report as follows: That House Bill No. 488 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 429, entitled: "An Act to amend Section 45 of Chapter 105 of the Session Laws of 1933 (commonly called the Liquor Control Act of Montana), relating to the possession and sale of intoxicating liquors and to add a new section to said Chapter 105, which new section shall be known as Section 88(a), relating to the jurisdiction of district courts in all actions arising under the provisions of said Chapter 105, and repealing all Acts and parts of Acts in conflict therewith," respectfully report as follows: That House Bill No. 429 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Foor, duly seconded and carried, that the House reconsider its action on House Bill No. 374.

It was moved by Moss, duly seconded and carried, that the House reconsider its action on House Bill No. 257.

It was moved by Moss, duly seconded and carried, that House Bill No. 257 be re-referred to the Committee on Education.

It was moved by Mulholland, duly seconded, that the House reconsider its action on House Bill No. 512.

On substitute motion, it was moved by Byrne, duly seconded and carried, that the matter be postponed indefinitely.

It was moved by Foor, duly seconded and carried, that House Bill No. 374 be re-referred to the Committee on Judiciary.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

The Speaker appointed Burris, Busch and Kruse, Conference Committee on Senate amendments to House Bill No. 64.

CONSIDERATION OF GENERAL ORDERS

Ormsbee in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That House Bill No. 372 do pass.

That House Bill No. 316 do pass.

That House Bill No. 188 do pass.

That House Bill No. 341 do pass.

That House Bill No. 468 be passed for the day.

That House Bill No. 266 do pass.

That House Bill No. 409 do pass.

ORMSBEE, Chairman.

On motion of Ormsbee, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

The Speaker,
House of Representatives,
Helena.

I have the honor to advise you that I have this day approved the following House measures:

H. B. No. 55—Relating to fixing standard grades of apples.

H. B. No. 77—Relating to the percentage of electors required to vote on and to authorize a bond issue.

H. B. No. 139—Relating to licenses for hunting and taking fish within the state.

H. B. No. 163—Relating to time for appeals to the Supreme Court in criminal cases.

F. H. COONEY, Governor.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 446, entitled: "An Act to amend Section 1 of Chapter 195 of the Session Laws of the Twenty-second Legislative Assembly 1931, releasing owners and operators of motor vehicles from re-

sponsibility for damages or injuries to gratuitous passengers, providing that the existence of negligence shall be question of fact for the jury and the degree of negligence shall be a question of law and repaling all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 446 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 240, entitled: "An Act relating to the licensing of the sale and distribution of beer and other similar beverages, and to amend Section 13, 20 and 45, of Chapter 106, Laws of 1933, as amended by Sections 4, 8 and 15, of Chapter 46, Laws of the Extraordinary Session, 1934, relating thereto and adding thereto one new Section 4, relating to the method of refund of former license fee," respectfully report as follows: That House Bill No. 240 do not pass.

ROLPH, Chairman.

It was moved by Chapman, duly seconded, that the report be adopted.

On substitute motion, it was moved by Ormsbee, duly seconded and carried, that House Bill No. 240 be printed and placed on General Orders.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 435, entitled: "An Act to amend Chapter 106 of the Laws of the Twenty-third Legislative Assembly of the State of Montana for the year 1933, relating to the licensing and regulation of the manufacture, sale and distribution of beer and other similar fermented beverages, and for the raising and disposition of revenues therefrom, by adding a new section to be known as Section 13½, relating to brewer's licenses," respectfully report as follows: That House Bill No. 435 do not pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 529, entitled: "An Act to amend Section Two of Chapter 181 of the Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933, as amended by Section One of Chapter 40 of the Laws of the Extraordinary Session of the Twenty-third Legislative Assembly, State of Montana, and to amend Section 10 of Chapter 181 of the Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933, relative to income tax rates and exemptions, respectfully report as follows: That House Bill No. 529 do not pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 365, entitled: "An Act to preserve the coal resources of the State of Montana from too rapid exhaustion without corresponding benefit to the state and to classify methods of mining coal and to distinguish underground mining of coal from strip mining of coal and open pit mining of coal; and an Act to amend Sections 2316 to 2326, Revised Codes of Montana, 1921, as amended by the Session Laws of the Twenty-second Legislative Assembly of the State of Montana, requiring every person, firm, association, joint stock company and corporation, engaged in or carrying on the business of coal mining, or engaged in working or operating any mine or mining property in the State of Montana, from which coal is mined, produced or extracted, to pay to the State

Treasurer for engaging in and carrying on such business by any method, certain license taxes for the exclusive use and benefit of the State of Montana; fixing the amount and disposition of such license taxes; prescribing a method for the assessment and collection thereof; and prescribing the penalties for the violations of the provisions of this Act," respectfully report as follows: That House Bill No. 365 do not pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 449, entitled: "An Act to amend Sections 2089, 2090 and 2091 of the Revised Codes of Montana of 1921, relating to the statement of gross yield of mines and net proceeds, the computation and taxation thereof, and transmission of net proceeds and royalty assessments to the counties; as amended by Chapter 191, Laws of 1925, Chapters 139 and 140, Laws of 1927, Chapter 133, Laws of 1931, and Chapter 161, Laws of 1933, and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 449 do pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 259, entitled: "An Act to permit the payment of delinquent taxes, assessments, penalties and interest on real estate and certain personal property by installment payments, and repealing all Acts and parts of Acts in conflict therewith," respectfully report as follows: That House Bill No. 259 do not pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that S. B. No. 64, by Coburn, was this day read three several times and passed, title and history agreed to, and same is herewith transmitted to the House for concurrence.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and bills are herewith returned to the House.

H. B. No. 87, by Committee on Health and Sanitary Affairs, by request.

H. B. No. 180, by Committee on Fairs and Expositions.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 264, by Doe and Toomey, was this day recommended for non-concurrence by the Senate Committee on Counties and Towns, report adopted, and bill is herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Governor this day advised that he had approved:

Senate Bill No. 6.
Senate Bill No. 36.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the request of the House for a Conference Committee from the Senate to confer with a like committee from the House for the consideration of Senate Amendments to House Bill No. 64, is hereby granted, and the President this day, on motion, appointed the following Senators to act as such Conference Committee: Oliver, Groff, Campbell.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that further messages from the Senate be considered read at length, and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Printing: Reported S. B. No. 58 correctly printed.

New Counties and Divisions: Reported S. B. No. 120 with the recommendation that same do not pass.

Labor and Capital: Recommended that S. B. No. 102 do not pass, but that Substitute S. B. No. 102, entitled: "An Act to amend Section 1 of Chapter 196 of the Session Laws of 1931 providing for the employment of prison labor in the manufacture of common and cement sand brick and for construction and repair of buildings at the Montana State Prison." Do pass.

Irrigation and Water Rights: That S. B. No. 143 do pass.

Compensation: That S. B. No. 207 do pass.

That S. B. No. 214 be amended by inserting after the word "compensation" on line 16 of page 1, the words "from the Industrial Accident Board"; and by inserting after the word "compensation" on line 29 of page 1, the words "from the Industrial Accident Board," and as amended, do pass.

Stockgrowing and Grazing: That H. B. No. 191 be concurred in.

That H. B. No. 124 be concurred in.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President this day gave notice that he was about to sign, and did sign in open session:

H. B. No. 55, H. B. No. 139, H. B. No. 163, H. B. No. 202.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced in the Senate, read first and second time, and referred to committees:

- H. B. No. 267—To Judiciary.
- H. B. No. 243—To Agriculture.
- H. B. No. 276—To Counties and Towns.
- H. B. No. 340—To Compensation.
- H. B. No. 352—To State and County Economies.
- Sub. H. B. No. 79—Public Morals.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Federal Relations: Recommended that S. J. R. No. 7 be amended in the title after the word "Lake" by inserting the following: "Glacier, Sheridan, Blaine, Phillips, Hill, Big Horn, Pondera and Rosebud," and in line 13 of the original bill, after the word "Lake" by inserting the following: "Glacier, Sheridan, Blaine, Phillips, Hill, Big Horn, Pondera and Rosebud," and in line 14, after the word "Flathead" the following: "Blackfeet, Fort Belknap, Crow Reservation, Tongue River," and in line 26, after the word "Lake", adding the following: "Glacier, Sheridan, Blaine, Phillips, Hill, Big Horn, Pondera and Rosebud." And as amended, do pass.

Federal Relations: That S. J. M. No. 4 do pass.

Banks and Banking: That S. B. No. 125 do not pass.

Counties and Towns: That H. B. No. 76 be concurred in.

That S. B. No. 132 do pass.

That H. B. No. 181 be concurred in.

That H. B. No. 264 be not concurred in.

That S. B. No. 167 do pass.

That S. B. No. 161 do pass.

That S. B. No. 164 do pass.

Judiciary: That S. B. No. 115 do not pass.

That S. B. No. 135 do not pass.

Water Conservation and Flood Control: That S. B. No. 155 do pass.

Military Affairs: That H. B. No. 359 be concurred in.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. B. Nos. 106 and 126 do not pass.

That S. B. No. 127, 129 and 139 do pass.

That consideration of H. B. Nos. 236, 237 and Sub. H. B. 44 be passed for the day.

That H. B. No. 90 be amended in the title by adding in the last line after the word "Acts," and before the word "in", the words, "or parts of Acts."

And as so amended, be concurred in.

That S. B. No. 89 be amended in Section 1 by striking out in line 27, after the word "required" the amendment; "provided that every person required to file a return under the provisions of this act shall in any event pay a minimum of not less than the sum of One Dollar (\$1.00)"; and inserting in lieu thereof the words; "provided, that every taxpayer liable for a tax under this law shall pay a minimum tax of One Dollar (\$1.00)."

And as so amended, do pass.

That consideration of S. B. No. 106 be passed for the time.

Moved by Senator Wass, that S. B. No. 107 do pass, motion duly seconded. As a substitute motion, Senator Meyer moved that consideration of S. B. No. 107 be indefinitely postponed; substitute motion duly seconded.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motions were this day made, duly seconded and carried:

On motion, S. B. No. 41 was taken from Counties and Towns and referred to Water Conservation and Flood Control.

On motion, S. B. No. 151 was taken from State Boards and Offices and referred to Water Conservation and Flood Control.

On motion, S. B. No. 216 was taken from Counties and Towns and referred to Water Conservation and Flood Control.

On motion, consideration of S. B. No. 74 was passed for the day.

On motion, S. B. No. 92 was taken from General File and re-referred to Counties and Towns.

On motion, H. B. No. 352 was taken from State and County Economies and referred to Judiciary.

On motion, H. B. No. 206 was placed on General File.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced in the Senate, read first and second time, and referred to committees:

Sub. H. B. No. 12, to Public Lands; H. B. No. 46 to Counties and Towns; Sub. H. B. No. 158, to Judiciary; Sub. H. B. No. 37 to State Boards and Offices. Sub. H. B. No. 279, to Public Morals.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following correctly enrolled: House Bills Nos. 182 and 118.

MONAHAN, Chairman.

Without objection, report adopted.

I have read House Bill No. 182, as reported from the Enrolling Committee and certify same to be correct.

GROENE of Fergus.

I have read House Bill No. 118, as reported from the Enrolling Committee and certify same to be correct.

METLEN.

The Speaker announced he was about to sign House Bill No. 182, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 118, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following bill was introduced, read first and second time, and referred to the Committee on Judiciary:

Senate Bill No. 64, introduced by Coburn: A Bill for an Act entitled: "An Act to amend Section 5766 of the Revised Codes of Montana of 1921, relating to the period of residence required to entitle plaintiff to divorce."

It was moved by Liggett, duly seconded and carried, that the House reconsider its action on House Bill No. 506. It was moved by Liggett, duly seconded and carried, that House Bill No. 506 be referred to the Committee on Townships and Counties.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

House Bill No. 311, introduced by Fowler, failed to pass by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Brennan, Burris, Chamberlain, Chapman, Conner, Connors, Cusick, Emmons, Fowler, Gordon, Green (Dawson), Haugan, Hedden, Hinerman, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Lippard, Logan, Lott, Lovell, Masterson, Miller (Roosevelt), Mulholland, Nutting, O'Brien, O'Byrne, Ormsbee, Petersen (Sheridan), Peterson (Valley) Rolph, Ryan, Sherman, Stimatz, Whaley, York, Mr. Speaker. Total 44.

Noes: Acher, Bertsche, Boone, Busch, Buttelman, Doe, Ecton, Emmett, Ewing, Goodwin, Gray, Groene (Fergus), Haight, Hall, Harlen, Heavlin, Holding, Joffray, Kelly, Leavitt, Lemmer, Liggett, McCausland, Metlen, Miller (Big Horn), Minette, Moss, Mundy, Nelson, O'Connor, Padbury, Parker, Peterson (Gallatin), Quigley, Ritch, Scofield, Smith, Southmayd, Stevens, Stromnes, Toomey, Watson, White (Judith Basin), White (Hill), Worden. Total 45.

Absent and not voting: Byrne, Coultas, Egan, Foor, Hamilton, Harwood, McLaughlin, Manning, Mitchell, Monahan, Neary, Sexton, Spiegel. Total 13.

The Speaker: Forty-four have voted "aye," forty-five have voted "no"; House Bill No. 311 has failed to pass the House.

House Bill No. 427, introduced by Watson, Worden, Holding, passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Baggord, Ballard, Bertsche, Boone, Brennan, Busch, Buttelman, Chamberlain, Chapman, Conner, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Harlen, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mulholland, Mundy, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Southmayd, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 84.

Noes: None.

Absent and not voting: Burris, Byrne, Connors, Coultas, Doe, Foor, Fowler, Hamilton, Harwood, Manning, Mitchell, Monahan, Moss, Neary, Parker, Smith, Spiegel. Total 17.

The following passed their vote: McCausland.

The Speaker: Eighty-four have voted "aye"; none have voted "no"; House Bill No. 427 has passed the House.

A Call of the House was demanded, by the required number. On motion of Leavitt, the Call of the House was dispensed with.

Substitute House Bill No. 255, introduced by Committee on Labor was passed by the following vote:

Ayes: Acher, Ahlgreen, Bertsche, Boone, Brennan, Busch, Chamberlain, Chapman, Conner, Connors, Cusick, Doe, Egan, Emmett, Emmons, Ewing, Fowler, Goodwin, Hamilton, Harlen, Harwood, Heavlin, Holding, Hinerman, Joffray, Kathan, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, Manning, Masterson, Metlen, Miller (Roosevelt), Mitchell, Moss, Mulholland, Neary, O'Brien, O'Byrne, O'Connor, Ormsbee, Parker, Peterson (Gallatin), Peterson (Valley), Ritch, Rolph, Ryan, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Whaley, White (Hill), York, Mr. Speaker. Total 67.

Noes: Anderson, Baggord, Buttelman, Byrne, Coultas, Ecton, Gordon, Gray, Green (Dawson), Haight, Hall, Haugan, Hedden, Johnson, Kelly, Kruse, McLaughlin, Miller (Big Horn), Minette, Mundy, Nelson, Nutting, Padbury, Quigley, Watson, White (Judith Basin), Worden. Total 27.

Absent and not voting: Burris, Foor, Groene (Fergus), Monahan. Total 4.

The following passed their vote: Ballard, McCausland, Petersen (Sheridan), Scofield. Total 4.

The Speaker: Sixty-seven have voted "aye"; twenty-seven have voted "no"; Substitute House Bill No. 255 has passed the House.

MOTIONS AND RESOLUTIONS

It was moved by Holding, duly seconded, that the House reconsider its action on House Bill No. 311. A Roll Call was demanded by the required number and the motion was carried by the following vote:

Ayes: Ahlgreen, Anderson, Baggord, Ballard, Brennan, Burris, Chamberlain, Chapman, Conner, Connors, Cusick, Egan, Emmett, Emmons, Foor, Fowler, Gordon, Green (Dawson), Hamilton, Hedden, Hinerman, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Lippard, Lott, Lovell, Manning, Mas-

tersen, Miller (Roosevelt), Mitchell, Mulholland, Neary, Nutting, O'Brien, O'Byrne, Ormsbee, Petersen (Sheridan), Peterson (Valley), Rolph, Ryan, Sexton, Sherman, Southmayd, Spiegel, Stimatz, Whaley, York, Mr. Speaker. Total 52.

Noes: Acher, Bertsche, Boone, Busch, Buttelman, Byrne, Coultas, Doe, Ecton, Ewing, Goodwin, Gray, Groene (Fergus), Haight, Hall, Harlen, Haugan, Heavlin, Holding, Joffray, Kelly, Leavitt, Lemmer, Liggett, Logan, McCausland, McLaughlin, Metlen, Miller (Big Horn), Minette, Moss, Mundy, Nelson, O'Connor, Padbury, Parker, Peterson (Gallatin), Quigley, Ritch, Scofield, Smith, Stevens, Stromnes, Toomey, Watson, White (Judith Basin), White (Hill), Worden. Total 48.

Absent and not voting: Harwood, Monahan. Total 2.

The Speaker: Fifty-two have voted "aye"; forty-eight have voted "no"; the motion was carried.

It was moved by Fowler, duly seconded, that House Bill No. 311 be replaced on Third Reading for immediate consideration.

On substitute motion, it was moved by Boone, duly seconded, that House Bill No. 311 be placed on General Orders. A roll call was demanded and motion was carried by the following vote:

Ayes: Acher, Anderson, Balgord, Bertsche, Boone, Busch, Buttelman, Byrne, Coultas, Doe, Ecton, Egan, Emmett, Ewing, Goodwin, Gray, Groene (Fergus), Haight, Hall, Harlen, Haugan, Heavlin, Holding, Joffray, Kelly, Kruse, Lemmer, Liggett, Lott, McCausland, McLaughlin, Metlen, Miller (Big Horn), Minette, Moss, Mundy, Nelson, O'Connor, Padbury, Parker, Peterson (Gallatin), Quigley, Ritch, Scofield, Southmayd, Stevens, Stromnes, Toomey, Watson, White (Judith Basin), White (Hill), Worden. Total 52.

Noes: Ahlgreen, Ballard, Brennan, Burris, Chamberlain, Chapman, Conner, Connors, Cusick, Emmons, Foor, Fowler, Gordon, Green (Dawson), Hamilton, Hedden, Hinerman, Johnson, Kathan, Kuhl, Lasby, Leary, Lippard, Logan, Lovell, Manning, Masterson, Miller (Roosevelt), Mitchell, Monahan, Mulholland, Neary, Nutting, O'Brien, O'Byrne, Ormsbee, Petersen (Sheridan), Peterson (Valley), Rolph, Ryan, Sexton, Sherman, Smith, Spiegel, Stimatz, Whaley, York, Mr. Speaker. Total 48.

Absent and not voting: Harwood.

The following passed their vote: Leavitt.

The Speaker: Fifty-two have voted "aye"; forty-eight have voted "no"; the motion was carried.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

House Bill No. 327, introduced by Committee on Agriculture, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Doe, Ecton, Egan, Emmett, Emmons, Foor, Goodwin, Gordon, Green (Dawson), Groene (Fergus), Haight, Hall, Harlen, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Rolph, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stimatz, Stromnes,

Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 80.

Noes: Boone, Mundy, Nelson. Total 3.

Absent and not voting: Cusick, Ewing, Fowler, Gray, Hamilton, Harwood, Joffray, Kruse, Masterson, Metlen, Minette, Moss, Ormsbee, Padbury, Quigley, Ritch, Smith, Stevens, Toomey. Total 19.

The Speaker: Eighty have voted "aye"; three have voted "no"; House Bill No. 327 has passed the House.

House Bill No. 183, introduced by Hinerman and others, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Ballard, Brennan, Burris, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Egan, Emmett, Emmons, Foor, Goodwin, Gordon, Haight, Harlen, Haugan, Heavlin, Hedding, Hinerman, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Lemmer, Lip-pard, Logan, Lovell, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, Ormsbee, Petersen (Sheridan), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Southmayd, Spiegel, Stevens, Stimatz, Whaley, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 66.

Noes: Bertsche, Boone, Busch, Doe, Ecton, Gray, Green (Dawson), Groene (Fergus), Hedden, Kelly, Leavitt, Liggett, McCausland, Metlen, O'Connor, Padbury, Parker, Sherman, Smith, Stromnes, Watson, Worden. Total 22.

Absent and not voting: Acher, Balgord, Cusick, Ewing, Fowler, Hamilton, Harwood, Joffray, Lott, Minette, Moss, Peterson (Gallatin), Toomey. Total 13.

The Speaker: Sixty-six have voted "aye"; twenty-two have voted "no"; House Bill No. 183 has passed the House.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Special Committee on Old Age Pension Legislation, having had under consideration House Bill No. 195, entitled: "An Act for the payment of Old Age Assistance: Establishing a State Old Age Pension Commission, County Old Age Pension Commission; prescribing their duties as such; giving to said commissions certain powers, duties and obligations; defining the qualifications of those entitled to receive Old Age Assistance; providing for the manner of arriving at the amount thereof; providing for the administration of said Act, forms of application; requiring counties to pay a portion of said assistance from County Poor Funds and providing for a levy therefor; providing funds for the State Old Age Pension Commission and establishing a Special Fund known as the State Old Age Assistance Fund; providing that aid from the United States government in furtherance of this Act be placed in said fund; providing that the counties be refunded fifty per cent of the amount expended for assistance from said fund; providing for the investigation of claims, approval thereof, granting of assistance and to whom paid; providing for revocation and review of assistance grants; providing for the residence of applicants, and change of residence; providing for reports;

prohibiting the assigning of grants; permitting under certain conditions claims to be made by the state and counties against the estate of deceased old age pensioners; providing for assignment of property by recipient of pensions; recovery of assistance payments; providing for the expenses incurred in carrying out the provisions of the Act; making certain Acts fraudulent; and repealing all Acts in conflict herewith," respectfully report as follows: That House Bill No. 195 do not pass but that Substitute House Bill No. 195 do pass.

STEVENS, Chairman.

On motion of Stevens, report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, beg leave to report the following correctly printed: House Bills Nos. 256, 355, 490, 350, 486, 338, 344, 411, 491, 397, 234, 74, 226, 474, 15, 433, 353, 471, 303, 331, 386, House Joint Resolution No. 6 and Substitute for Substitute House Bill No. 36.

McCAUSLAND, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bills Nos. 316, 341, 266, 188, 479, 409.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Dairying, having had under consideration House Bill No. 378, entitled: "An Act relating to the sale of oleomargarine; defining same; providing for license and stamp tax; prescribing penalties for the violation thereof; and repealing Section 40 of Chapter 87, of the Session Laws of the Twenty-second Legislative Assembly," respectfully report as follows: That House Bill No. 378 do pass.

SEXTON, Chairman.

On motion of Sexton, report adopted.

Mr. Speaker: We, your Committee on Dairying, having had under consideration House Bill No. 260, entitled: "An Act levying a license tax on all butterfat purchased in connection with the operation of creameries, cheese factories, ice cream factories, condensed milk factories and milk and cream buying and receiving stations," respectfully report as follows: That House Bill No. 260 do pass.

SEXTON, Chairman.

On motion of Sexton, report adopted.

Mr. Speaker: We, your Committee on Railroads and Transportation, having had under consideration House Bill No. 376, entitled: "An Act regulating the operation of railroads within the State of Montana, limiting the length of freight and passenger trains and providing penalties for the violation of this Act," respectfully report as follows: That House Bill No. 376 do pass.

KATHAN, Chairman.

On motion of Kathan, report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Bill No. 13, entitled: "An Act to encourage and aid state industrial recovery in conjunction with national industrial recovery, and to aid in the re-establishment of industry in the State of Montana and to effectuate its control by license, permit or otherwise, to foster

fair competition to the end that fair wages will be paid to workers; to provide penalties for violation of the provisions of this Act; and to give to the Governor necessary authority fully to cooperate with the President of the United States and the agencies set up by him under the provisions of the Act known as the 'National Industrial Recovery Act,' including authority to appoint a board to carry out the provisions of this Act," respectfully report as follows: That House Bill No. 13 do not pass but that Substitute House Bill No. 13 do pass.

STEVENS, Chairman.

On motion of Stromnes, report adopted.

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 528, entitled: "An Act prohibiting utilities and railroads from carrying attorneys on payrolls or issuing them passes while they are state, city, county or municipal officers, utilities or railroads while holding public office and providing penalties therefor," respectfully report as follows: That House Bill No. 528 do pass.

BURRIS, Chairman.

On motion of Burris, report adopted.

Mr. Speaker: We, your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 469, entitled: "An Act granting to the Montana Public Service Commission the right and power under certain conditions to purchase, transport and sell to the public, gasoline, automobile fuels, oils and lubricants and further granting said commission under certain conditions the right and power to enter into contracts with licensed retail gasoline dealers to sell the said products to the public; or to sell direct; providing for a record of all transactions and the fixing of reasonable rules and regulations for carrying out the provisions of this Act," respectfully report as follows: That House Bill No. 469 do pass.

ORMSBEE, Chairman.

On motion of Ormsbee, report adopted.

Mr. Speaker: We, your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 503, entitled: "An Act empowering the Public Service Commission to require public utilities to carry a proper depreciation account and authorizing the commission to fix the rates of depreciation on the several classes of property of public utilities," respectfully report as follows: That House Bill No. 503 do pass.

ORMSBEE, Chairman.

On motion of Ormsbee, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 517, entitled: "An Act establishing a Water Conservation Revolving Fund to be designated the 'Conservation Revolving Fund' providing for the collection and payment of moneys into said fund and disbursements therefrom; making appropriations of funds for the conservation 'Administration Fund' and the 'Conservation Revolving Fund' out of the net proceeds to the credit of the Montana Liquor Control Board Fund; and repealing all Acts and parts of Acts in conflict herewith and declaring an emergency," respectfully report as follows: That House Bill No. 517 do pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 292, entitled: "An Act appropriating

money for the State Highway Commission for the period beginning July 1, 1935, and ending June 30, 1937," respectfully report as follows: That House Bill No. 292 do pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration Senate Bill No. 75, entitled: "An Act to amend Section 138 of Chapter 89 of the Laws of the Twentieth Legislative Assembly, 1927, relating to disposition of assets, remaining after payments of claims of banks in liquidation by the Superintendent of Banks and final closing of trust," respectfully report as follows: That Senate Bill No. 75 be concurred in.

ACHER, Chairman.

On motion of Acher, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 300, entitled: "An Act to amend Section 182 of the Revised Codes of the State of Montana, 1921, as amended by Chapter 85 of the Session Laws of the Eighteenth Legislative Assembly, 1923, and as further amended by Chapter 180 of the Session Laws of the Twenty-first Legislative Assembly, 1929, relating to the depositing of funds in the hands of the State Treasurer; and providing for the security to be delivered by the banks designated as depositories by the State Depository Board," respectfully report as follows: That House Bill No. 300 do not pass.

ACHER, Chairman.

It was moved by Acher, duly seconded, that the report be adopted.

On substitute motion, it was moved by Lasby, duly seconded and carried, that House Bill No. 300 and 301 and 342 be referred to the Committee on Revenue and Taxation.

Mr. Speaker: We, your Committee on Development and Publicity, having had under consideration House Bill No. 398, entitled: "An Act relating to the advertisement and sale of roasted coffee and to the date roasted, and providing a penalty for a violation thereof," respectfully report as follows: That House Bill No. 398 do not pass.

RITCH, Chairman.

On motion of Ritch, report adopted.

Mr. Speaker: We, your Committee on Development and Publicity, having had under consideration House Bill No. 505, entitled: "An Act providing that all book binding, book repairing and magazine binding ordered by the State of Montana or any subdivision thereof must if possible, be done within the State of Montana," respectfully report as follows: That House Bill No. 505 do pass.

RITCH, Chairman.

On motion of Ritch, report adopted.

Mr. Speaker: We, your majority of the Committee on Banks and Banking, having had under consideration House Bill No. 174, entitled: "An Act declaring the purpose of the State of Montana to engage in the banking business and establish a system of banking under the name of the Bank of Montana operated by the state, and defining the scope and manner of its operation and the powers and duties of the persons charged with its management; making an appropriation therefor; and providing penal-

ties for the violation of certain provisions thereof," respectfully report as follows: That House Bill No. 174 do not pass.

ACHER, Chairman.
SOUTHMAYD,
WORDEN,
HEDDEN,
LOGAN,
GOODWIN,
GROENE,
HAUGAN,
BUSCH.

Mr. Speaker: We, your minority of the Committee on Banks and Banking, having had under consideration House Bill No. 174, entitled: "An Act declaring the purpose of the State of Montana to engage in the banking business and establish a system of banking under the name of the Bank of Montana operated by the state, and defining the scope and manner of its operation and the powers and duties of the persons charged with its management making an appropriation therefor and providing penalties for the violation of certain provisions thereof," respectfully report as follows: That House Bill No. 174, do pass.

EGAN,
BRENNAN,
PETERSEN of Sheridan,
LEARY.

It was moved by Groene of Fergus, duly seconded, that the report of the majority be adopted.

On substitute motion, it was moved by Brennan, duly seconded, that the report of the minority be adopted. A roll call was demanded and the motion failed by the following vote:

Ayes: Ahlgreen, Anderson, Brennan, Burris, Chamberlain, Chapman, Connors, Cusick, Doe, Egan, Emmett, Emmons, Foor, Hamilton, Hinerman, Johnson, Kathon, Lasby, Leary, Masterson, Miller (Roosevelt), Mitchell, Monahan, Mulholland, Neary, O'Brien, O'Bryne, Ormsbee, Petersen (Sheridan), Peterson (Valley), Quigley, Rolph, Ryan, Sexton, Spiegel, Stevens, Stimatz, Whaley, York, Mr. Speaker. Total 40.

Noes: Acher, Balgord, Bertsche, Boone, Busch, Buttelman, Byrne, Coultas, Ecton, Ewing, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Harwood, Haugan, Heavlin, Hedden, Kelly, Kruse, Kuhl, Leavitt, Lemmer, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Metlen, Miller (Big Horn), Minette, Moss, Mundy, Nelson, Nutting, O'Connor, Padbury, Parker, Peterson (Gallatin), Ritch, Scofield, Sherman, Smith, Southmayd, Strommes, Toomey, Watson, White (Judith Basin), White (Hill), Worden. Total 55.

Absent and not voting: Ballard, Fowler, Harlen, Holding, Joffray, Liggett. Total 6.

The following passed their vote: Conner.

The Speaker: Forty have voted "aye"; fifty-five have voted "no"; the motion was lost.

Whereupon motion by Groene of Fergus was carried.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 494, entitled: "An Act abolishing capital punishment and providing in lieu thereof, life imprisonment, and repealing all Acts in conflict herewith," respectfully report as follows: That House Bill No. 494 do not pass.

MONAHAN, Chairman.

On motion of Monahan, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 509, entitled: "An Act to amend Section 2 of Chapter 47 of the Laws of the Extraordinary Session of the Twenty-third Legislative Assembly of the State of Montana, 1933, relative to attaching common school districts to high school districts," respectfully report as follows: That House Bill No. 509 do not pass.

PETERSON of Valley, Chairman.

On motion of Peterson of Valley, report adopted.

Mr. Speaker: We, your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 531, entitled: "An Act changing the official name of the Board of Railroad Commissioners of the State of Montana, ex-officio Public Service Commission of Montana, ex-officio Montana, Trade Commission, ex-officio Montana Irrigation Commission to "Public Service Commission of Montana," and revise the laws to provide that such latter name shall be substituted for such former names in all sections of the Laws of the State of Montana," respectfully report as follows: That House Bill No. 531 do pass.

ORMSBEE, Chairman.

On motion of Ormsbee, report adopted.

Mr. Speaker: We, your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 387, entitled: "An Act requiring utilities to furnish information and reports to the Public Service Commission as directed by the commission," respectfully report as follows: That House Bill No. 387 be amended as follows: In line 8, after the word "matter", insert the words: "coming within the jurisdiction of the commission, in connection with such utility," and striking out "upon which the commission may desire information."

In line 14, after the word "informed", insert the word "of". And as amended, do pass.

ORMSBEE, Chairman.

On motion of Ormsbee, report adopted.

Mr. Speaker: We, your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 484, entitled: "An emergency Act making the Board of Railroad Commissioners ex-officio the Montana Sugar Commission to supervise and regulate the entire sugar beet industry; as defined in this Act, to make rules and regulations in investigations; jurisdiction of District Court to enforce obedience to process; the commission shall have power to fix reasonable prices to producers and reasonable profits for processing; providing penalties for violating provisions of this Act," respectfully report as follows: That House Bill No. 484 be reported out without recommendation.

ORMSBEE, Chairman.

It was moved by Ormsbee, duly seconded, that the report be adopted.

On substitute motion, it was moved by Minette, duly seconded and carried, that further action on House Bill No. 484 be indefinitely postponed.

Mr. Speaker: We, your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 385, entitled: "An Act for the further regulation of public utilities, the recapture and disposition of operating income thereof in excess of a fair return, the supervision and regulation by the Public Utilities Commission of the annual budget of a public utility before certain expenditures are made, providing for the regulation and control of issuance of stocks, bonds, notes or other securities by public utilities, the assumption of liabilities, the purchase of sale of properties, merger or consolidation with another utility, and speci-

fyng what corporations may conduct a public utility business in Montana, defining affiliated interests, and providing for the regulation and supervision of contracts and transactions therewith, making provision for a depreciation reserve, providing penalties for the violation thereof, and repealing all Acts or parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 385 do pass.

ORMSBEE, Chairman.

On motion of Ormsbee, report adopted.

Mr. Speaker: We, your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 349, entitled: "An Act to amend Sections 112, 4235 and 4237, Revised Codes, Montana, 1921, and Section 4, of Chapter 31, Laws of 1933, relating to the State Sealer of Weights and Measures and providing for the transfer of the standards of measure from the Office of the Secretary of State to the Scale Division of the Department of Agriculture," respectfully report as follows: That House Bill No. 349 do not pass.

ORMSBEE, Chairman.

On motion of Ormsbee, report adopted.

Mr. Speaker: We, your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 437, entitled: "An Act defining "accommodation smelters" and "custom smelters"; providing an emergency exists making "custom smelters" a public convenience and necessity thereby making "custom smelters" a public utility; defining the duties of the Public Service Commission of Montana relative to "custom smelters" providing for the appointment and duties of an "umpire"; fixing reasonable rules and regulations for the weighing and sampling and adjusting disputed claims on ore shipments to "custom smelters" and providing a fee from ore to be smelted for carrying out the provisions of this Act and creating a special fund from such receipts to be known as a "smelter umpire fund," respectfully report as follows: That House Bill No. 437 do not pass.

ORMSBEE, Chairman.

On motion of Ormsbee, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 440, entitled: "An Act for the establishment by school districts of special classes for the instruction of children suffering from disease, deformity, physical or mental defect, or inaptitude; providing state aid for the maintenance of such schools; defining the duties of the Common School Equalization Board, the State Auditor, and the State Treasurer in administering this Act, and repealing all Acts in conflict herewith," respectfully report as follows: That House Bill No. 440 do not pass.

PETERSON of Valley, Chairman.

On motion of Peterson of Valley, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 431, entitled: "An Act to amend Section 83 of Chapter 148 of the Session Laws of Montana of 1931, relating to the powers and duties of the Board of Trustees of school districts and county high schools," respectfully report as follows: That House Bill No. 431, do not pass.

PETERSON of Valley, Chairman.

On motion of Peterson of Valley, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 417, entitled: "An Act to amend Section

1116 of the Revised Codes of Montana, 1921, as amended by Section 1 of Chapter 150 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana for 1927 relative to salary deduction for the teachers retirement salary fund and providing for contributions from the state for partial support of said fund and repealing all Acts in conflict herewith," respectfully report as follows: That House Bill No. 417 do not pass.

PETERSON of Valley, Chairman.

On motion of Peterson of Valley, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 257, entitled: "An Act to amend Section 44 of Chapter 148 of the Session Laws of the Twenty-second Legislative Assembly of the State of Montana, as further amended by Chapter 156 of the Session Laws of the Twenty-third Legislative Assembly of the State of Montana, relating to district high schools, rent of quarters and transportation of high school pupils and authorizing a tax levy thereof," respectfully report as follows: That House Bill No. 257 be amended as follows: In Section 1, of the original bill, by inserting after the first word, "district" in line 21 on page 1, the following, "not maintaining an accredited high school." In line 26 and 27 strike out the following words, "who is actually enrolled in the high school maintained by the district, it." In line 29 strike out the word "the" and inserting in lieu thereof the word, "any." In line 30 strike out the word "said" and insert in lieu thereof the word "any." In line 31 strike out the words "or most accessible." In lines 20, 21, 22, 23, and 24 strike out all of the words beginning with the word "provided," in line 20 and ending with the word "same" in line 24. Also strike the semi-colon (;) and change the first letter in the word "provided" in the same line to a capital "P," and as amended, do pass.

PETERSON of Valley, Chairman.

On motion of Peterson of Valley, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 396, entitled: "An Act repealing Section 3, Chapter 18, of the Session Laws of the State of Montana, 1933, relating to the rules and regulations governing school bus transportation," respectfully report as follows: That House Bill No. 396 do not pass.

PETERSON of Valley, Chairman.

On motion of Peterson of Valley, report adopted.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 53, 91, 160 and 180.

MONAHAN, Chairman.

Without objection, report adopted.

I have read House Bill No. 53, as reported from the Enrolling Committee and certify same to be correct.

KUHL.

I have read House Bill No. 91, as reported from the Enrolling Committee and certify same to be correct.

BURRIS.

I have read House Bill No. 160, as reported from the Enrolling Committee and certify same to be correct.

BOONE.

I have read House Bill No. 180, as reported from the Enrolling Committee and certify same to be correct.

BERTSCHE.

The Speaker announced he was about to sign House Bill No. 53, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 91, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 160, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 180, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Equal Suffrage, having had under consideration House Bill No. 481, entitled: "An Act amending Sections 8883, 8885, 8886, 8887, 8889, 8890, 8893, 8894 and 8895 of the Revised Codes of Montana of 1921 defining juries and the qualifications of jurors; making women eligible for jury service; providing for certain exemptions from jury service; and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 481 do pass.

LEARY, Chairman.

On motion of Leary, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that House Bill No. 117 be taken from the Select Committee, to which it was referred and put back on General Orders.

It was moved by Leavitt, duly seconded and carried, that House Bill No. 532 be passed for the day.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole, for consideration of General Orders under the rules of the previous sitting, and that in today's sitting, a resume of the various appropriation bills be read.

CONSIDERATION OF GENERAL ORDERS

Logan of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That House Bill No. 489 do pass.

That House Bill No. 490 be amended as follows: Amend Section 2 by striking out in line 49, the words and figures "Fifteen Thousand Dollars (\$15,000.00)" and inserting in lieu thereof the words and figures "Fourteen Thousand Dollars (\$14,000.00)" and by striking out in line 47 the words and figures "Forty-six Thousand Dollars (\$46,000.00)" and inserting in lieu thereof the words and figures "Forty-seven Thousand Dollars (\$47,000.00)"; amend Section 2 by inserting in line 63, after the word "expenses," the

following. "including the sum of Seven Hundred Dollars (\$700.00) for the Branch Regional Summer School at Miles City"; amend Section 3 by striking out in line 49, the words and figures "Fifteen Thousand Dollars (\$15,000.00)" and inserting in lieu thereof the words and figures "Fourteen Thousand Dollars (\$14,000.00)" and by striking out in line 47 the words and figures "Forty-six Thousand Dollars (\$46,000.00)" and inserting in lieu thereof the words and figures "Forty-seven Thousand Dollars (\$47,000.00)"; amend Section 3 by inserting in line 63, after the word "expenses," the following "including the sum of Seven Hundred Dollars (\$700.00) for the Branch Regional School at Miles City"; and as amended, do pass.

LOGAN, Chairman.

On motion of Logan, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that House Bills Nos. 489 and 490 be considered correctly engrossed and placed at the head of Third Reading.

THIRD READING OF HOUSE BILLS

The following, having been read three several times at length, history and title agreed to, were disposed of as follows:

House Bill No. 489, introduced by the Appropriations Committee, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Doe, Ecton, Egan, Emmett, Ewing, Foor, Fowler, Goodwin, Gordon, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Holding, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Liggett, Lippard, Logan, Lott, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Monahan, Mulholland, Mundy, Neary, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, White (Hill), Worden, York, Mr. Speaker. Total 88.

Noes: None.

Absent and not voting: Coultas, Cusick, Emmons, Gray, Hedden, Hinerman, Lemmer, Lovell, Mitchell, Moss, Nelson, Nutting, Whaley, White (Judith Basin). Total 14.

The Speaker: Eighty-eight have voted "aye," none have voted "no"; House Bill No. 489 has passed the House.

House Bill No. 490, introduced by the Appropriations Committee, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Ecton, Egan, Emmett, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Joffray, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Monahan, Moss, Mulholland, Mundy, O'Byrne, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 80.

Noes: Doe, Green (Dawson), Groene (Fergus), Haight, McCausland, Neary, Nelson, O'Brien, O'Connor, Scofield. Total 10.

Absent and not voting: Coultas, Emmons, Hinerman, Kelly, Lovell, Mitchell, Nutting, Ormsbee, Ritch, Stromnes, Toomey, White (Judith Basin). Total 12.

The Speaker: Eighty have voted "aye," ten have voted "no"; House Bill No. 490 has passed the House.

It was moved by Byrne, duly seconded and carried, that further Third Reading be passed temporarily.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bills Nos. 372 and 232.

EWING, Chairman.

Without objection, report adopted.

It was moved by Byrne, duly seconded and carried, that the House recess until 8:00 o'clock P. M.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

The Speaker,
House of Representatives,
Helena.

I have the honor to advise you that I have this day approved the following House measures:

H. B. No. 127—Relating to machine guns and their association with crimes of violence.

H. B. No. 178—Exempting certain organizations from payment of licenses.

H. B. No. 202—Relating to official bonds required of public officers.

F. H. COONEY, Governor.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that the House dispense with the second calling of names on roll call until further consideration of the House.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF THE SAME

The following bills were introduced, read first and second time and referred to the Committee on Printing:

Substitute House Bill No. 13, introduced by Committee on Federal Relations: A Bill for an Act entitled: "An Act to encourage and aid state industrial recovery in conjunction with national industrial recovery, and to aid in the re-establishment of industry in the State of Montana and to effectuate its control by license, permit, or otherwise; to foster fair competition to the end that fair wages will be paid to workers; to provide penalties for violation of the provisions of this Act; and to give to

the Governor necessary authority fully to cooperate with the President of the United States and the agencies set up by him under the provisions of the Act known as the "National Industrial Recovery Act," including authority to appoint a board to carry out the provisions of this Act."

Substitute House Bill No. 195, introduced by Special Committee on Old Age Pensions: A Bill for an Act entitled: "An Act for the payment of old age assistance; establishing a State Old Age Pension Commission, County Old Age Pension Commission; prescribing their duties as such; giving to said commissions certain powers, duties and obligations; defining the qualifications of those entitled to receive old age assistance; providing for the manner of arriving at the amount thereof; providing for the administration of said Act, forms of applications; requiring counties to pay a portion of said assistance from county poor funds and providing for a levy therefor; providing funds for the State Old Age Pension Commission and establishing a special fund known as the state old age assistance fund; providing that aid from the United States Government in furtherance of this Act be placed in said fund; providing that the counties be refunded fifty per cent of the amount expended for assistance from said fund; providing for the investigation of claims, approval thereof, granting of assistance and to whom paid; providing for revocation and review of assistance grants; providing for the residence of applicants, and change of residence; providing for reports; prohibiting the assigning of grants; permitting under certain conditions claims to be made by the state and counties against the estate of deceased old age pensioners; providing for assignment of property by recipient of pensions; recovery of assistance payments; providing for the expenses incurred in carrying out the provisions of the Act; making certain Acts fraudulent; and repealing all Acts in conflict herewith."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, beg leave to report the following correctly printed: House Bills Nos. 20, 14, 533, 173, 389, 383, 390, 384, 320, 323, 510, 393, 295, 513, 472 and 346.

McCAUSLAND Chairman.

Without objection, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Ryan, duly seconded and carried, that the House reconsider its action taken on House Bill No. 436.

It was moved by Ryan, duly seconded and carried, that House Bill No. 436 be re-referred to the Committee on Judiciary.

It was moved by Byrne duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting, and that the rules in Committee of the Whole be extended as follows: That no member ask any question except in obtaining an explanation of a bill.

CONSIDERATION OF GENERAL ORDERS

Leavitt in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That House Bill No. 246 be amended as follows: Amend Section 1 by inserting in line 9 of the printed bill, after the comma (,) following the word "situated" and before the word "shall (,)" the following: "and

commenced within one year from the date of the entry of such order," and as amended, do pass.

That House Bill No. 329 do pass.

That House Bill No. 486 do pass.

That House Bill No. 397 be amended as follows: Amend the title after the word "authority" in line 5 by striking the words "levy and assess" and inserting in lieu thereof the words "impose fees on," and as amended, do pass.

That Substitute for Substitute House Bill No. 36 do pass.

That House Bill No. 474 do pass.

That House Bill No. 433 do pass.

That House Bill No. 353 do pass.

That House Bill No. 350 do pass.

That House Bill No. 336 do pass.

That House Bill No. 338 do pass.

That House Bill No. 15 do pass.

That House Bill No. 411 do pass.

That the enacting clause be stricken from Substitute House Bill No. 29.

That House Bill No. 25 do pass.

That House Bill No. 275 do pass.

That House Bill No. 241 do pass.

That House Bill No. 123 do pass. That the Clerk be instructed to amend the amendment by adding the words "be stricken" in House Bill No. 69, and as amended, do pass.

LEAVITT, Chairman.

On motion of Leavitt, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that the House reconsider its action, of yesterday, on House Bills Nos. 100 and 103.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

House Bill No. 296, introduced by Kruse, Toomey and Harwood, were passed by the following vote:

Ayes: Acher, Ahlgreen, Balgord, Ballard, Bertsche, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Conner, Connors, Coultas, Doe, Ecton, Egan, Emmett, Emmons, Foor, Fowler, Goodwin, Gordon, Green (Dawson), Groene (Fergus), Haight, Hamilton, Harlen, Harwood, Haugan, Hedden, Holding, Hinerman, Joffray, Johnson, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Galatin), Peterson (Valley), Quigley, Rolph, Ryan, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Whaley, White (Judith Basin), White (Hill), Worden, Mr. Speaker. Total 84.

Noes: Chapman.

Absent and not voting: Anderson, Boone, Cusick, Ewing, Gray, Hall, Heavlin, Kathan, Minette, Monahan, Moss, O'Byrne, Ritch, Scofield, Stromnes, Watson, York. Total 17.

The Speaker: Eighty-four have voted "aye," one has voted "no"; House Bill No. 296 has passed the House.

House Bill No. 185, introduced by Anderson and Quigley, was passed by the following vote:

Ayes: Acher, Ahlgreen, Balgord, Ballard, Bertsche, Busch, Buttelman, Chamberlain, Chapman, Conner, Coultas, Doe, Ecton, Egan, Emmett, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Harlen, Harwood, Haugan, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Metlen, Miller (Roosevelt), Miller (Big Horn), Mundy, Nelson, Nutting, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Sexton, Smith, Southmayd, Toomey, Stevens, Stimatz, Toomey, Whaley, White (Hill), Worden, Mr. Speaker. Total 73.

Noes: Burris, Connors, Emmons, Mitchell, Mulholland, Neary, O'Brien, O'Byrne, Ryan, Sherman, Spiegel. Total 11.

Absent and not voting: Anderson, Boone, Brennan, Byrne, Cusick, Hamilton, Heavlin, Joffray, Masterson, Minette, Monahan, Moss, Rolph, Scofield, Stromnes, Watson, White (Judith Basin), York. Total 18.

The Speaker: Seventy-three have voted "aye," eleven have voted "no"; House Bill No. 185 has passed the House.

House Bill No 147, introduced by Peterson of Valley, was passed by the following vote:

Ayes: Acher, Ahlgreen, Balgord, Bertsche, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Doe, Ecton, Egan, Emmett, Emmons, Foor, Fowler, Goodwin, Harlen, Harwood, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Mitchell, Mulholland, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Sexton, Sherman, Southmayd, Spiegel, Stimatz, Toomey, Whaley. Total 68.

Noes: Gray, Green (Dawson), Haight, Haugan, Miller (Big Horn), Mundy, Nelson, Padbury, Smith, White (Hill), Worden, Mr. Speaker. Total 12.

Absent and not voting: Anderson, Ballard, Boone, Cusick, Ewing, Gordon, Groene (Fergus), Hall, Hamilton, Heavlin, Joffray, Minette, Monahan, Moss, Ormsbee, Rolph, Scofield, Stevens, Stromnes, Watson, White (Judith Basin), York. Total 22.

The Speaker: Sixty-eight have voted "aye"; twelve have voted "no"; House Bill No. 147 has passed the House.

Substitute House Bill No. 66, introduced by Holding and the Committee on Public Health and Sanitary Affairs, was passed by the following vote:

Ayes: Acher, Bertsche, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Doe, Ecton, Egan, Emmett, Foor, Fowler, Goodwin, Gordon, Green (Dawson), Haight, Harlen, Haugan, Hedden, Holding, Hinerman, Kathan, Kelly, Kruse, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Miller (Roosevelt), Miller (Big Horn), Mitchell, Mulholland, Mundy, Neary, Nutting, Padbury, Parker, Peterson (Valley), Quigley, Rolph, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Whaley, White (Hill), Worden, Mr. Speaker. Total 66.

Noes: Emmons, Ewing, Gray, Groene (Fergus), Kuhl, Masterson, Metlen, Nelson, O'Brien, O'Byrne, O'Connor, Ormsbee, Petersen (Sheridan), Ritch, Ryan. Total 15.

Absent and not voting: Ahlgreen, Anderson, Balgord, Ballard, Boone, Cusick, Hall, Hamilton, Harwood, Heavlin, Joffray, Johnson, Minette, Monahan, Moss, Peterson (Gallatin), Scofield, Stromnes, Watson, White (Judith Basin), York. Total 21.

The Speaker: Sixty-six have voted "aye"; fifteen have voted "no"; Substitute House Bill No. 66 has passed the House.

Substitute House Bill No. 232, introduced by Committee on Dairying, was passed by the following vote:

Ayes: Acher, Ahlgreen, Balgord, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Connors, Coultas, Ecton, Egan, Emmons, Foor, Fowler, Goodwin, Gordon, Green (Dawson), Harlen, Haugan, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Lasby, Leary, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Mulholland, Neary, O'Brien, O'Byrne, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Sexton, Sherman, Smith, Spiegel, Stimatz, Toomey, Whaley, White (Hill), Mr. Speaker. Total 62.

Noes: Bertsche, Conner, Emmett, Ewing, Groene (Fergus), Haight, Kelly, Kuhl, Leavitt, Lemmer, Metlen, Mundy, Nelson, O'Connor, Parker, Ritch, Southmayd, Worden. Total 18.

Absent and not voting: Anderson, Ballard, Boone, Byrne, Cusick, Doe, Gray, Hall, Hamilton, Harwood, Heavlin, Kruse, Minette, Monahan, Moss, Nutting, Scofield, Stevens, Stromnes, Watson, White (Judith Basin), York. Total 22.

The Speaker: Sixty-two have voted "aye"; eighteen have voted "no"; Substitute House Bill No. 232 has passed the House.

House Bill No. 316, introduced by Committee on State Lands, was passed by the following vote:

Ayes: Acher, Ahlgreen, Balgord, Ballard, Bertsche, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Ecton, Egan, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Green (Dawson), Harlen, Harwood, Haugan, Hedden, Holding, Hinerman, Johnson, Kathan, Kruse, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Mulholland, Mundy, Neary, Nelson, O'Brien, O'Byrne, Ormsbee, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Ritch, Ryan, Sherman, Spiegel, Stimatz, Toomey, Whaley, White (Hill), Mr. Speaker. Total 68.

Noes: Doe, Emmett, Gray, Haight, Kelly, McCausland, O'Connor, Padbury, Rolph, Worden. Total 10.

Absent and not voting: Anderson, Boone, Cusick, Groene (Fergus), Hall, Hamilton, Heavlin, Joffray, Kuhl, Metlen, Minette, Monahan, Moss, Nutting, Peterson (Valley), Scofield, Sexton, Smith, Southmayd, Stevens, Stromnes, Watson, White (Judith Basin), York. Total 24.

The Speaker: Sixty-eight have voted "aye"; ten have voted "no"; House Bill No. 316 has passed the House.

House Bill No. 341, introduced by Leavitt, was passed by the following vote:

Ayes: Acher, Balgord, Ballard, Bertsche, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Green (Dawson), Haight, Harlen, Harwood, Haugan, Hedden, Holding, Joffray, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lovell, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Mulholland, Mundy, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Ritch, Ryan, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Whaley, Worden, Mr. Speaker. Total 72.

Noes: Gray, Kelly, McCausland, Rolph, Smith, White (Hill). Total 6.

Absent and not voting: Ahlgreen, Anderson, Boone, Byrne, Cusick, Groene (Fergus), Hall, Hamilton, Heavlin, Hinerman, Lott, Metlen, Minette, Monahan, Moss, Neary, Ormsbee, Peterson (Valley), Scofield, Stromnes, Toomey, Watson, White (Judith Basin), York. Total 24.

The Speaker: Seventy-two have voted "aye"; six have voted "no"; House Bill No. 341 has passed the House.

House Bill No. 266, introduced by Committee on Workmen's Compensation, was passed by the following vote:

Ayes: Ahlgreen, Balgord, Ballard, Bertsche, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Gordon, Gray, Green (Dawson), Harlen, Harwood, Haugan, Hedden, Holding, Hinerman, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Mitcheli, Mulholland, Neary, O'Brien, O'Byrne, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Rolph, Ryan, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Whaley, White (Hill), Mr. Speaker. Total 72.

Noes: Haight, Kelly, Miller (Big Horn), Mundy, Nelson, Nutting, Worden. Total 7.

Absent and not voting: Acher, Anderson, Boone, Byrne, Cusick, Groene, (Fergus), Hall, Hamilton, Heavlin, Joffray, Minette, Monahan, Moss, Ormsbee, Peterson (Valley), Ritch, Scofield, Smith, Stromnes, Toomey, Watson, White (Judith Basin), York. Total 23.

The Speaker: Seventy-two have voted "aye"; seven have voted "no"; House Bill No. 266 has passed the House.

House Bill No. 188, introduced by Stromnes, was passed by the following vote:

Ayes: Acher, Ahlgreen, Balgord, Ballard, Bertsche, Brennan, Busch, Buttelman, Byrne, Chapman, Conner, Connors, Coultas, Doe, Ecton, Egan, Emmett, Ewing, Goodwin, Gordon, Green (Dawson), Haight, Harlen, Harwood, Haugan, Hedden, Hinerman, Johnson, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Logan, Lott, McCausland, McLaughlin, Manning, Masterson, Metlen, Mundy, Nutting, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Ritch, Sherman, Smith, Southmayd, Whaley, White (Hill), Worden. Total 58.

Noes: Burris, Chamberlain, Emmons, Foor, Fowler, Holding, Kathan, Lippard, Lovell, Miller (Roosevelt), Miller (Big Horn), Mitchell, Mulholland, Neary, Nelson, O'Brien, O'Byrne, Rolph, Ryan, Sexton, Spiegel, Stevens, Stimatz, Mr. Speaker. Total 24.

Absent and not voting: Anderson, Boone, Cusick, Gray, Groene (Fergus), Hall, Hamilton, Heavlin, Joffray, Minette, Monahan, Moss, Orms-

bee, Peterson (Valley), Scofield, Stromnes, Toomey, Watson, White (Judith Basin), York. Total 20.

The Speaker: Fifty-eight have voted "aye"; twenty-four have voted "no"; House Bill No. 188 has passed the House.

House Bill No. 372, introduced by Nutting, by request, was passed by the following vote:

Ayes: Acher, Ahlgreen, Balgord, Ballard, Burris, Busch, Buttelman, Chamberlain, Chapman, Connors, Coultas, Ecton, Egan, Emmett, Emmons, Foor, Fowler, Goodwin, Gordon, Green (Dawson), Haight, Harlen, Harwood, Haugan, Hedden, Hinerman, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Lippard, Logan, Lott, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Mundy, Neary, Nutting, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Ritch, Rolph, Ryan, Sexton, Sherman, Smith, Spiegel, Stevens, Stimatz, Toomey, Whaley, White (Hill), Worden, Mr. Speaker. Total 67.

Noes: Bertsche, Brennan, Kelly, Lovell, Southmayd. Total 5.

Absent and not voting: Anderson, Boone, Byrne, Conner, Cusick, Doe, Ewing, Gray, Groene (Fergus), Hall, Hamilton, Heavlin, Holding, Joffray, Liggett, Minette, Monahan, Moss, Mulholland, Nelson, O'Brien, O'Byrne, O'Connor, Ormsbee, Peterson (Valley), Scofield, Stromnes, Watson, White (Judith Basin), York. Total 30.

The Speaker: Sixty-seven have voted "aye"; five have voted "no"; House Bill No. 372 has passed the House.

House Bill No. 409, introduced by Judiciary Committee for the Code Commissioner, was passed by the following vote:

Ayes: Acher, Ahlgreen, Balgord, Ballard, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Doe, Ecton, Egan, Emmett, Emmons, Foor, Fowler, Goodwin, Gordon, Green (Dawson), Haight, Harlen, Harwood, Haugan, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Mulholland, Mundy, Nelson, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Ritch, Rolph, Ryan, Sexton, Sherman, Southmayd, Spiegel, Stevens, Toomey, Whaley, White (Hill), Worden, Mr. Speaker. Total 75.

Noes: Stimatz. Total 1.

Absent and not voting: Anderson, Bertsche, Boone, Cusick, Ewing, Gray, Groene (Fergus), Hall, Hamilton, Heavlin, Metlen, Minette, Monahan, Moss, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Peterson (Valley), Scofield, Smith, Stromnes, Watson, White (Judith Basin), York. Total 26.

The Speaker: Seventy-five have voted "aye"; one has voted "no"; House Bill No. 409 has passed the House.

It was moved by Byrne, duly seconded and carried, that the House adjourn until 9:00 o'clock A. M. Thursday, February 21, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:
JOHN J. JEWELL, Chief Clerk.

FORTY-SIXTH DAY

House of Representatives,
Helena, Montana, February 21, 1935.

House convened, pursuant to adjournment, at 9:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by Chaplain.

A quorum for the transaction of business was present.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the forty-fifth legislative day, find the same to be correct.

EWING, Vice-Chairman.

Without objection, report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 470, entitled: "An Act relating and adding to the powers and duties of the Commissioner of the Department of Agriculture, Labor and Industry by the creation of a division of Housing for the purpose of constructing low cost housing in order to promote home ownership for persons of low income in the interests of increased labor activity and of health and the public welfare; providing for the appointment and compensation of assistants; making an appropriation for the conduct of said division; providing non-liability of State of Montana for all departmental Acts and defining the source of liability for departmental Acts; repealing all Acts in conflict herewith and declaring an emergency," respectfully report as follows: That House Bill No. 470 be amended as follows: Section 4, by inserting after Article 7 a new Article entitled Article 8, "to quiet title to tax deed lands granted to the State of Montana by cities, towns, villages and counties in furtherance of the objects of this Act."; and as amended do pass.

BURRIS, Chairman.

On motion of Ryan, report adopted.

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration Substitute House Bill No. 125, entitled: "An Act to amend Chapter Twenty (20) of the Laws of the Twenty-second Legislative Assembly of the State of Montana, requiring that any board, council, commission, trustee or body acting for the state or any county or municipality or any public body, who shall contract with any person or corporation to do any work for the state, county, municipality or other public body, to require a good and sufficient bond therefor, and providing the terms, conditions and provisions of said bond, and prescribing the liability of the state or any county or municipality or public body for failure to take such bond and repealing all Acts or parts of Acts in conflict herewith," respectfully report as follows: That Substitute House Bill No. 125 do pass.

BURRIS, Chairman.

On motion of Ryan, report adopted.

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 310, entitled: "An Act providing for the furnishing of official bonds by the State of Montana for all public officers, boards and commissions of the state and of each and every political subdivision thereof; providing for the creation of a Board of Official Bonds and a fund to be known as the Official Bond Liability Fund; prescribing the duties and powers of said Board of Official Bonds, and prescribing the duties of all public officers in regard thereto, and for the adjustment and settlement of liabilities thereby, and to prevent any

other manner of bonding public officials," respectfully report as follows: That House Bill No. 310 be referred to Committee on Appropriations.

BURRIS, Chairman.

On motion of Ryan, report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 313, entitled: "An Act relating to agriculture seeds; amending Section 3594, Revised Codes of Montana, 1921, as amended by Section 1 of Chapter 110, Laws of the Twenty-first Legislative Assembly of the State of Montana, 1929, and amending Section 3599, Revised Codes of Montana, 1921, concerning the labeling requirements of agriculture seeds and mixtures and concerning samples sent to laboratory for tests," respectfully report as follows: That House Bill No. 313 do pass.

CHAPMAN, Chairman.

On motion of Chapman, report adopted.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Special Committee on House Substitute for House Bill No. 39, having had under consideration House Substitute for House Bill No. 39 entitled: "An Act to amend Sections 8276, 8277, 8278, 8279 and 8280 of the Revised Codes of Montana, 1921, relating to Chattel mortgages, and providing for a central filing and reporting system in the office of the Secretary of State, for chattel mortgages, assignments thereof, and affidavits of renewal thereof, and for the expiration of the lien of chattel mortgages as to all persons, and providing for the charging and collecting of fees by the Secretary of State in connection therewith," respectfully report as follows: That House Substitute for House Bill No. 39 be amended as follows:

I. By amending the title, line 5, by inserting after the word "mortgages," the words "of livestock,"

II. By amending Section 3, line 13, by inserting after the word "mortgage" the words "which covers livestock."

III. By amending Section 4, line 7, by striking out the word "property" therein, and inserting in lieu thereof the word "livestock."

IV. By amending Section 4, line 9, by inserting after the word "mortgage" the words "on the livestock so removed."

V. By amending Section 5, line 29, by inserting at the end of said line 29, after the words "if the," the words "mortgage covers livestock and the."

VI. By amending Section 6, line 2, by inserting after the word "mortgages" the words "of livestock."

VII. By amending Section 6, line 2, by adding at the end thereof the word "thereof"; and as amended be placed on General Orders.

GROENE,
ROLPH.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Special Committee on House Substitute for House Bill No. 40, having had under consideration House Substitute for House Bill No. 40, entitled: "An Act to amend Section 8289, Revised Codes of Montana, 1921, relating to acknowledgments of satisfaction of chattel mortgages, providing for the filing thereof in the office of the Secretary of State," respectfully report as follows: That since said House Substitute for House Bill No. 40 is a companion bill for House Substitute

for House Bill No. 39, this day reported to you by this same committee, be placed on General Orders accompanying said Substitute for House Bill No. 39.

GROENE,
ROLPH.

On motion of Rolph, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Watson, duly seconded and carried, that the House reconsider its action on Substitute House Bill No. 417.

It was moved by Watson, duly seconded and carried, that Substitute House Bill No. 417 be re-referred to the Committee on Education.

It was moved by Kelly, duly seconded and carried, that House Bill No. 471 be taken from General Orders and re-referred to the Committee on Fairs and Expositions.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Masterson of Custer in the Chair. Committee arose.
House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That House Joint Resolution No. 6 be adopted.

That House Joint Resolution No. 7 be adopted.

That House Joint Memorial No. 11 be adopted.

That House Bill No. 491 be amended as follows: Amend Section 2, line 106, by inserting after the word "in" the following: "prosecuting rate and/or traffic cases before the Interstate Commerce Commission or in any way appropriate forum and conducting rate and traffic cases and"; and as amended do pass.

That House Bill No. 533 do pass.

MASTERSON, Chairman.

On motion of Masterson, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Senate Standing Committees, reports adopted, and bills are herewith returned to the House:

H. B. No. 7, by Ecton, Buttelman, Peterson of Gallatin.

H. B. No. 189, by Committee on Insurance.

H. B. No. 209, by Spiegel and Ryan.

H. B. No. 352, by Committee on Economy, by request.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several

times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence:

S. B. No. 103, by Hammond.

S. B. No. 111, by Committee on State Boards and Offices.

S. B. No. 128, by Committee on Education.

S. B. No. 117, by Committee on Banks and Banking.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 90, by Kruse, was this day read third time and concurred in as amended, title agreed to, and bill is herewith returned to the House for concurrence in the Senate amendments.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Haight, duly seconded and carried, that further messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motions were this day made, duly seconded and carried:

That S. B. No. 58 be taken from General File and re-referred to Judiciary.

That consideration of S. B. No. 74 be again passed for the day.

That consideration of S. B. No. 153 be passed for the day.

That consideration of S. B. No. 104 be passed for the day.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. B. No. 121 do pass.

That S. B. No. 96 do pass.

That S. B. No. 163 do pass.

That Sub. S. B. No. 79 be amended in Section 4 by inserting in line 5 after the word "title" the following: "to the United States of America"; and as so amended, recommend said Sub. S. B. No. 79 do pass.

That S. B. No. 94 do pass.

That S. B. No. 144 do pass.

That consideration of Sub. H. B. No. 44 be passed for the day.

That H. B. No. 76 be amended in Section 1 by inserting in line 46 after the word "townships," the following: "where the population is 10,000 people or more and in townships having a population of more than 20,000."

Amend in Section 1 by striking out in line 42 the figures "10,000," and inserting in lieu thereof the figures, "12,000"; and as amended, be concurred in.

That H. B. Nos. 124, 181 and 191 be concurred in.

That H. B. No. 206 be amended in the title by inserting after the word "codes," the words, "and printing for public or quasi-public institutions";

Be amended in Section 1 by striking out in line 4 the period and inserting a comma, and inserting in line 4 after the word "otherwise" the following: "and all printing for public or quasi-public institutions"; and as amended, be concurred in.

That H. B. No. 236 be amended in the title by striking out in line 6 thereof the words and figures, "Session Laws of 1931," and inserting in lieu thereof the words and figures, "Revised Codes of Montana for 1921"; and as amended, be concurred in.

That H. B. No. 237 be amended by adding a new section to be Section 2, which shall read as follows: "Nothing in this Act shall apply to hay in the stack," and by renumbering Sections 2 and 3 accordingly. And as amended, be concurred in.

That H. B. No. 359 be concurred in.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Joint Memorial was this day introduced, read first and second time and referred to the Committee on Federal Relations:

S. J. M. No. 5, by Committee on Fish and Game: A Joint Memorial to the Honorable House of Representatives of the United States of America in Congress assembled, requesting that the Department of Agriculture of the United States be respectively urged to withdraw the orders whereby it seeks to take to itself as against the rights of the State of Montana and its State Fish and Game Department the absolute and exclusive control of all fish, game and furbearing animals lying within the boundaries of national forests." Introduced without previous notice, by unanimous consent.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Elections and Privileges: That S. B. No. 189 do pass.

Insurance: That H. B. No. 189 be not concurred in.

Judiciary: That S. B. No. 168 do not pass.

Finance and Claims: That S. B. No. 210 do not pass.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Printing: That S. B. Nos. 214, 207, 146, 150 and Sub. 102 have been correctly printed.

Education: That S. B. No. 181 be amended in line 17 by inserting after the word "pupils," the following: "a resident of the district,"

And in line 18 by striking out the words, "residing within such district," and inserting in lieu thereof the following: "who has resided in the district for three months next preceding the beginning of the school term",

And as amended, do pass.

Federal Relations: That S. J. R. No. 6 do pass.

That S. B. No. 176 do pass.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Printing: Reported S. B. Nos. 104, 121, 96, 163, Sub. 79, 94, 153 and 144 correctly printed.

Engrossing: Reported S. B. Nos. 103, 111, 117 and 128 correctly engrossed.

Education: Recommended that S. B. No. 145 be amended by striking out after the word "period" in line 20 the following words, "of four (4) years at either the University of Montana, the Montana State Normal College, the Agricultural College of Montana, or the Montana School of Mines"; and inserting in lieu thereof: "not to exceed four (4) years, at any unit of the University of Montana."

And as amended, do pass.

Judiciary: That S. B. Nos. 178, 195, 206 do not pass.

That H. B. Nos. 151, 267 be concurred in.

That H. B. No. 352 be not concurred in.

Minority of Judiciary Committee: That H. B. No. 7 be not concurred in, report adopted.

Election and Privileges: That S. B. Nos. 187 and 188 do pass.

State Boards and Offices: That H. B. No. 209 be not concurred in.

Compensation: That H. B. No. 340 be concurred in.

Public Lands: That S. B. Nos. 191 and 192 do pass.

Taxation: That S. B. Nos. 162 and 171 do not pass.

That S. B. No. 201 do not pass.

That S. B. No. 211 do not pass.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that S. B. No. 218 was this day introduced without previous notice by unanimous consent of the Senate, read first and second time, and referred to Committee on Taxation:

S. B. No. 218, by Anderson and Plank: A Bill for an Act entitled: "An Act to amend Chapter 181 of the Session Laws of the Twenty-third Legislative Assembly of 1933, by addition thereto three new sections to be numbered respectively Section 4-A, Section 4-B, and Section 4-C, relating to the method of ascertainment of gain or loss from the sale or exchange of property for the purpose of determination of income tax."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Fowler, duly seconded and carried, that House Bills Nos. 491 and 533 be considered properly engrossed and placed on Third Reading.

It was moved by Fowler, duly seconded and carried that House Bill No. 517 be returned from the Committee on Printing and re-referred to the Committee on Appropriations for some changes.

THIRD READING OF HOUSE BILLS

The following, having been read three several times at length, history and title agreed to, were disposed of as follows:

House Bill No. 491, introduced by Appropriations Committee, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Fowler, Gordon, Green (Dawson), Hall, Heavlin, Holding, Joffray, Johnson, Kathan, Kelly, Kruse, Lasby, Leary, Leavitt, Liggett, Lippard, Logan, Lott, Lovell, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Mitchell, Moss, Mulholland, Mundy, O'Byrne, Ormsbee, Padbury, Parker, Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Sexton, Sherman, Smith, Southmayd, Spiegel, Stimatz, Toomey, White (Hill), York, Mr. Speaker. Total 68.

Noes: Doe, Goodwin, Groene (Fergus), Haight, Haugan, McCausland, Miller (Big Horn), Minette, Nutting, O'Connor, Scofield, Watson, White (Judith Basin), Worden. Total 14.

Absent and not voting: Burris, Coultas, Foor, Gray, Hamilton, Harlen, Harwood, Hedden, Hinerman, Kuhl, Lemmer, Monahan, Neary, Nelson, O'Brien, Ritch, Stevens, Stromnes, Whaley. Total 19.

The following passed his vote: Petersen (Sheridan). Total 1.

The Speaker: 68 have voted "aye"; 14 have voted "no"; House Bill No. 491 has passed the House.

House Bill No. 533, introduced by Appropriations Committee, was passed by the following vote:

Ayes: Acher, Ahlgreen, Bertsche, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Ecton, Emmett, Emmons, Ewing, Fowler, Gordon, Green (Dawson), Joffray, Johnson, Kathan, Kelly, Lasby, Leary, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Mitchell, Moss, Mulholland, Mundy, O'Byrne, Ormsbee, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Ryan, Sexton, Sherman, Smith, Spiegel, Stimatz, Toomey, York, Mr. Speaker. Total 54.

Noes: Anderson, Balgord, Boone, Conner, Doe, Egan, Goodwin, Gray, Groene (Fergus), Haight, Hall, Haugan, Kruse, Kuhl, Leavitt, McCausland, Miller (Big Horn), Minette, Neary, Nelson, Nutting, O'Connor, Quigley, Ritch, Scofield, Southmayd, White (Judith Basin), White (Hill), Worden. Total 29.

Absent and not voting: Ballard, Coultas, Cusick, Foor, Hamilton, Harlen, Harwood, Heavlin, Hedden, Hinerman, Monahan, O'Brien, Padbury, Rolph, Stevens, Stromnes, Watson, Whaley. Total 18.

The following passed his vote: Holding. Total 1.

The Speaker: 54 have voted "aye"; 29 have voted "no"; House Bill No. 533 has passed the House.

It was moved by Byrne, duly seconded and carried, that further Third Reading be passed temporarily.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bills Nos. 336, 123, 338, 25 275.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following considered correctly engrossed: House Bills Nos. 486, 329, 241 and Substitute for Substitute House Bill No. 36.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 220, entitled: "An Act relating to the validity of certain conveyances or transfers of real or personal property to counties, cities, towns or municipal corporations, the consideration therefrom, and limiting the time within which actions may be brought concerning the same," respectfully report as follows: That House Bill No. 220 do pass.

GOODWIN, Chairman.

On motion of Goodwin, report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 448, entitled: "An Act to amend Section 3722, Revised Codes of Montana of 1921, as amended by Chapter 77 of the Laws of 1923 and by Chapter 59 of the Laws of 1927 and by Chapter 99 of the Session Laws of 1931 relating to protection of beaver, and beaver license and tagging and repealing all laws in conflict therewith," respectfully report as follows: That House Bill No. 448 do pass.

LEMMER, Chairman.

On motion of Lemmer, report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 272, entitled: "An Act to amend Section 3697 of the Revised Codes of Montana, 1921, as amended by Chapter 192 of the Laws of the Nineteenth Legislative Assembly of the State of Montana, 1925, Chapter 59 of the Laws of the Twentieth Legislative Assembly of the State of Montana, 1927, Chapter 152 of the Laws of the Twenty-second Legislative Assembly of the State of Montana, 1931, and again amended by Chapter 123 of the Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933, relating to open season for deer, and providing penalties for the violation thereof," respectfully report as follows: That House Bill No. 272 do not pass.

LEMMER, Chairman.

On motion of Lemmer, report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 479, entitled: "An Act authorizing the Montana Fish and Game Commission to acquire water rights for pur-

pose of maintaining sufficient flow in streams to protect fish life," respectfully report as follows: That House Bill No. 479 do pass.

LEMMER, Chairman.

On motion of Lemmer, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 520, entitled: "An Act to impose a license fee on certain places of business engaged in the sale and distribution of petroleum and petroleum products," respectfully report as follows: That House Bill No. 520 do not pass.

ROLPH, Chairman.

On motion of Chapman, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 495, entitled: "An Act providing for the classification and basis upon which taxes shall be imposed upon all irrigated land, non-irrigated farm land, all grazing land, all city and town lots together with the improvement thereon (except improvements used for business or industrial purposes)," Respectfully report as follows: That House Bill No. 495 do not pass.

ROLPH, Chairman.

On motion of Chapman, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 416, entitled: "An Act levying a ten per cent (10%) tax on all sub-contracts let by any person to any sub-contractor involving the construction or maintenance of any highway and public buildings of all character in the State of Montana; defining the powers and duties of the State Board of Equalization and other officers in relation to the administration of this Act, and prohibiting the payment of contractors who are subject to this Act until evidence is furnished to compliance with said Act," respectfully report as follows: That House Bill No. 416 do not pass.

ROLPH, Chairman.

On motion of Chapman, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 458, entitled: "An Act to preserve coal resources of the State of Montana from too rapid exhaustion without corresponding benefit to the state and to classify methods of mining coal and to distinguish underground mining of coal from strip mining of coal and open pit mining of coal; and an Act to amend Chapter 155 of the Session Laws of the Seventeenth Legislative Assembly of the State of Montana, approved, March 5th, 1921, requiring every person, firm, association, joint stock company and corporation, engaged in or carrying on the business of coal mining, or engaged in working or operating any mine or mining property in the State of Montana from which coal is mined, produced or extracted, to pay to the State Treasurer for engaging in and carrying on such business by any method, certain license taxes of the exclusive use and benefit of the State of Montana; fixing the amount of such license taxes; prescribing a method for the assessment and collection thereof; and prescribing the penalties for the violations of the provisions of this Act," respectfully report as follows: That House Bill No. 458 be amended as follows: In line 5, page 3, of the original bill the words and figures, "One Dollar (\$1.00)" shall be stricken and inserting in lieu thereof the words and figures, "Twenty-five cents (\$0.25)"; and as amended do pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 527, entitled: "An Act relating to the licensing of loan associations and defining the penalties," respectfully report as follows: That House Bill No. 527 do not pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 425, entitled: "An Act to provide for license tax upon the privilege of engaging in certain businesses, and levying a tax upon the gross sales made in such businesses, and/or the gross income of such businesses; to provide for the disposition of the revenues received, and to provide definitions and penalties," respectfully report as follows: That House Bill No. 425 do not pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 443, entitled: "An Act requiring every person, firm, co-partnership, association, joint stock company, trust, syndicate and corporation engaging in or carrying on the business of refining or processing crude petroleum within the State of Montana to pay to the State of Montana for engaging in or carrying on such business certain license fees for the exclusive use and benefit of the State of Montana; fixing the amount of such license fees; prescribing a method for the assessment and collection thereof; and prescribing penalties for violations of the provisions of this Act," respectfully report as follows: That House Bill No. 443 do pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 239, entitled: "An Act of emergency relating to taxation and the regulating of the sale of property for taxes delinquent in the year 1934, and remitting the penalty for such delinquent taxes for said year if paid before October 1st, 1935," respectfully report as follows: That House Bill No. 239 do not pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 496, entitled: "An Act requiring every person, firm, co-partnership, association, joint stock company, syndicate and corporation engaging in or carrying on the business or producing natural gas within this state, or engaged in or carrying on the business of owning, controlling, managing, leasing or operating within this state, shall pay to the State Treasurer for engaging in or carrying on such business certain license fees for the exclusive use and benefit of the State of Montana; fixing the amount of such license fees; prescribing a method for the assessment and collection thereof; and prescribing penalties for violations of the provisions of this Act," respectfully report as follows: That House Bill No. 496 do not pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 201, entitled: "An Act creating municipal courts in cities, defining the jurisdiction thereof; providing rules of practice therein; providing for the election and qualifications of judges

thereof, and the salary and the tenor of office of judges; abolishing certain police courts; repealing Section 4929, Revised Codes of Montana, 1921; amending Section 9716, Revised Codes of Montana, 1921, and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 201 be amended as follows: Amend Section 1 by striking out in line two of said section, the words and figures, "three thousand," and inserting in lieu thereof the words and figures, "twenty thousand."

Amend Section 3 by striking out in line three of said section, the words and figures, "three thousand," and inserting in lieu thereof the words and figures, "twenty thousand."

Amend Section 4 of said section by striking out all of said Section 4 beginning with the words, "The salaries of judges," in line 4 of said section and inserting in lieu thereof the following sentence: "The salary of such judges shall be Three Thousand Dollars (\$3,000.00) annually, payable monthly by the City Treasurer of the city in which such court is."; and as amended do pass.

GOODWIN, Chairman.

On motion of Goodwin, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 485, entitled: "An Act to empower any city or town council to own, construct, maintain and/or operate tourist camps and/or tourist cottages," respectfully report as follows: That House Bill No. 485 do pass.

GOODWIN, Chairman.

On motion of Goodwin, report adopted.

It was moved by Byrne, duly seconded and carried, that the House recess until 1:30 P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 287, entitled: "An Act to amend Section 8 of Chapter 89 of the Laws of the Twentieth Legislative Assembly of 1927, relating to the amount of capital stock and surplus necessary to the procuring of certificate of authorization, for the establishment of a commercial bank, and providing further for the fixing of the amount of capital stock and surplus necessary in cities or towns of different population," respectfully report as follows: That House Bill No. 287 do not pass.

ACHER, Chairman.

On motion of Acher, report adopted.

Mr. Speaker: We, your Committee on Enrolling, to whom was referred House Bills Nos. 80, 118, 127, 178 and 182 do hereby report that said bills, together with copies thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 1:10 o'clock P. M., delivered to the Governor for his approval.

MONAHAN, Chairman.

Without objection, report adopted.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following were introduced, read first and second time and referred to committees:

S. B. No. 117, introduced by Committee on Banks and Banking: A Bill for an Act entitled: "An Act to amend Section 8 of Chapter 89 of the Laws of the Twentieth Legislative Assembly of 1927, relating to the amount of capital stock and surplus necessary to the procuring of certificate of authorization, for the establishment of a commercial bank, and providing further for the fixing of the amount of capital stock and surplus necessary in cities or towns of different population." Referred to Committee on Banks and Banking.

S. B. No. 128, introduced by Committee on Education: A Bill for an Act entitled: "An Act designating the manner of selection, adoption, purchase, and exchange of textbooks for use in the public schools of Montana; prescribing rules and regulations governing the same; prescribing the powers and duties of school officers and boards in connection therewith; prescribing certain conditions to be complied with by persons, companies, and corporations offering such textbooks for adoption, sale or exchange in the State of Montana; providing penalties for violation of this Act; and repealing Sections 1187 to 1196, inclusive, and Section 1200 of the Revised Codes of Montana of 1921; Chapter 25 of the Session Acts of the Nineteenth Legislative Assembly of Montana of 1925 and other Acts and parts of Acts in conflict herewith." Referred to Committee on Education.

S. B. No. 111, introduced by Committee on State Boards and Offices: A Bill for an Act entitled: "An Act to amend Sections 1, 2 and 3 of Chapter 46, Session Laws of 1933; being an Act to regulate the practice of the profession of public accounting or auditing; providing for the qualifications, examination and admission of applicants and the issuance of certificates thereto; providing for an examining board and the powers thereof." Referred to Committee on State Boards and Officers.

S. B. No. 103, introduced by Hammond: A Bill for an Act entitled: "An Act to amend Section 10482 of the Revised Codes of Montana of 1921, as amended by Chapter 133 of the Acts of the Twenty-third Legislative Assembly of 1933, relating to the conditions of allowance of mother's pensions." Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Aviation, having had under consideration House Bill No. 249, entitled: "An Act providing for the regulation of aeronautics within the State of Montana; providing for uniformity with Federal Laws regulating aeronautics and creating the State Aeronautics Commission; providing for the appointment of members thereof; defining the powers and duties of such commission, and providing for the promulgation and issuance of rules and regulations by such commission," respectfully report as follows: That House Bill No. 249 be printed and placed on general orders without recommendation.

SOUTHMAYD, Chairman.

On motion of Southmayd, report adopted.

Mr. Speaker: We, your Committee on Aviation, having had under consideration House Bill No. 248, entitled: "An Act to appropriate money for the administration, operation and maintenance of the Montana Aeronautics Commission for the period beginning April 1, 1935, and ending June 30, 1937," respectfully report as follows: That House Bill No. 248 be referred to the Committee on Appropriations.

SOUTHMAYD, Chairman.

It was moved by Southmayd, duly seconded, that the report be adopted.

On substitute motion, it was moved by Coultas, duly seconded, that action on House Bill No. 248 be indefinitely postponed.

As substitute motion for all motions pending, it was moved by Boone, duly seconded and carried, that action on the motions pending be passed temporarily.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following considered correctly engrossed: House Joint Resolution No. 6.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 392, entitled: "An Act providing for a review by the Governor and State Advisory council of the organization, functioning and finances of the state and local governments, for the preparation of a program of economy and financing, and for the creation of a State Advisory Council; and designating the powers and duties of the Governor and the Advisory Council," respectfully report as follows: That House Bill No. 392 be amended as follows: On page 2, line 7, the words "from those Senators holding over" be stricken out and that the bill as amended do pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 28, entitled: "An Act amending Section 3635, Revised Codes of Montana, 1921, relating to the duties of the department of Agriculture, Labor and Industry, adding certain duties to such department, and to County Attorneys in the enforcement of labor laws," respectfully report as follows: That House Bill No. 28 be amended as follows: On page 1, line 6, after the word "section" there be inserted the figure "1"; on page 1, line 31, after the word "section" the figure "3" be changed to "2"; that the subject matter of Section 2 be stricken out and the following be inserted in lieu thereof: "The duties of the division of Labor and Publicity, under the Agricultural Commissioner, are hereby defined, and the appropriation as made for that sub-division, under House Bill No. 532, of the 24th Legislative Assembly, shall be used exclusively for the purposes as defined in this Act"; that on page 2, line 6, after the word "Section" the figure "4" be changed to "3"; that on page 2, line 8, after the word "Section" the figure "5" be changed to "4"; and all of Section 4, as renumbered, be stricken out and the following be inserted in lieu thereof: "The appropriations herein mentioned shall be deemed and held valid notwithstanding the provisions of the Budget Act"; and that the bill, as amended, do pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 517, entitled: "An Act establishing a Water Conservation Revolving Fund to be designated the 'Conservation Revolving Fund' providing for the collection and payment of moneys into said fund and disbursements therefrom; making appropriations therefor; making appropriation of funds for the conservation 'Administration Fund' and the 'Conservation Revolving Fund' out of the net proceeds to the credit of the Montana Liquor Control Board Fund; and repealing all Acts and parts of Acts in conflict herewith and declaring an emergency," respectfully report as follows: That House Bill No. 517 do pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 84, entitled: "An Act relating to the licens-

ing of persons operating motor vehicles upon the highways of the state; prescribing the persons and operators to be licensed, the form of license and the fees to be charged therefor; providing for the suspension and revocation of any license issued and prescribing penalties for the violation of the provisions of this Act," respectfully report as follows: That House Bill No. 84 be amended as follows: Amend Section 12, by striking the entire section.

Amend Section 14, line 8 thereof, by striking out the figures "50c", and inserting in lieu thereof, the figures "25c."

And re-number the subsequent sections to correspond thereto; and as amended do pass.

CUSICK, Chairman.

On motion of Stromnes, report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 82, entitled: "An Act granting to non-resident owners and operators of motor vehicles the privilege of using the highways of the State of Montana and its political subdivisions and providing for the appointment by such non-resident users of such highways and by resident users of such highways of the Secretary of State as Attorney in Fact for such operators of motor vehicles for service of all lawful process in any action or proceeding against such operators of motor vehicles growing out of any accident, collision, or liability in which such operators of motor vehicles may be involved while operating motor vehicles upon such highways; and providing that the Act shall not apply if the defendant may with due diligence be found and personally served with process in the State of Montana," respectfully report as follows: That House Bill No. 82 be amended as follows: Amend line 6 of the title by striking out the words "Secretary of State," and inserting in lieu thereof, "Registrar of Motor Vehicles."

Amend line 6 of Section 2 by striking out the words, "Secretary of State," and inserting in lieu thereof, "Registrar of Motor Vehicles."

Amend Section 3 line 5 thereof by striking out the words, "Secretary of State," and inserting in lieu thereof, "Registrar of Motor Vehicles."

Amend Section 3 by striking out in line 12 thereof the words "Secretary of State" and inserting in lieu thereof, "Registrar of Motor Vehicles."

Amend Section 4 by striking out in line 3 the words, "Secretary of State," and inserting in lieu thereof, "Registrar of Motor Vehicles."

Amend Section 4 by striking out in line 17 thereof the words, "Secretary of State" and inserting in lieu thereof, "Registrar of Motor Vehicles."

Amend Section 4 by striking out in line 19 thereof the words, "Secretary of State," and inserting in lieu thereof, "Registrar of Motor Vehicles."

Amend Section 5 by striking out in line 2 the words "Secretary of State," and inserting in lieu thereof, "Registrar of Motor Vehicles."

Amend Section 6 by striking out in line 1 the words, "Secretary of State," and inserting in lieu thereof, "Registrar of Motor Vehicles"; and as amended do pass.

CUSICK, Chairman.

On motion of Stromnes, report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 114, entitled: "An Act to eliminate reckless and irresponsible drivers from the highways; providing for suspension of operator's and chauffeurs' licenses for certain offenses and conditions of renewal thereof and making it a duty of the Clerk of the Court, or the

Court where it has no Clerk to forward a certified copy or transcript of judgment or order in the matter of certain offenses against safety; making the Registrar of Motor Vehicles the attorney of non-residents operating personally or by authorized agent any motor vehicle in Montana upon whom may be served all lawful processes and providing how service upon him may be made; defining proof of ability to respond in damages as required by this Act as certificates by insurance carrier of issuance of Motor Vehicle Liability Policy of Insurance, the bond of certain surety companies or individual sureties holding real estate in Montana or deposit of money or collateral with State Treasurer, and providing certain regulations for carriers of insurance against loss from legal liability, and time of notice and manner of cancellation or expiration of any Motor Vehicle Liability Policy or surety bond; providing that such money or collateral shall be held to satisfy execution issued against person on judgment for damages arising out of ownership, maintenance, use or operation of motor vehicle and procedure to realize upon same; requiring registrar to furnish certified abstracts of operating records of any person subject to the provisions of this Act; also information pertaining to evidence of ability of operators or owners of motor vehicles to respond in damages; requiring any owner or operator of motor vehicle, in event of breaches of certain duties herein imposed, to return his operator's license, certificate of registration and number plates to the registrar upon the later's request, and making it a misdemeanor to wilfully fail to do so and fixing the penalty therefor; fixing the terms and conditions upon which the registrar shall cancel such bond or return such proof of insurance or the Treasurer shall return such money or collateral; forbidding transfer of certificates of registration or re-registration of certain motor vehicles in another's name to defeat purposes of this Act; making this Act non-applicable to certain automobile insurance against liability; providing penalty and punishment for forging, or without authority, signing any evidence of ability to respond in damages as required hereunder; defining "Motor Vehicle Liability Policy" as used herein, and requiring certain provisions to be therein contained and the filing, before issuance, of a copy of the form thereof, except in certain cases, with the Commissioner of Insurance for his approval or disapproval, and requiring the latter to specify in writing his reasons for not approving any form of policy, and further setting forth certain provisions every such motor vehicle liability policy shall be subject to, whether or not therein contained; defining the meaning of certain other words used herein and providing that the Registrar shall make rules and regulations necessary for administration of Act," respectfully report as follows: That House Bill No. 114 be amended as follows: Amend the title thereof by striking out the entire title and insert in lieu thereof the following new title: "An Act to eliminate reckless and irresponsible drivers from the highways and relating to financial responsibility of motor vehicle owners and operators and making uniform the laws in relation thereto."

Amend Section 4 by striking out the entire section. Renumerate the following sections respectively.

Amend Section 3 on page 4 by inserting after the word "renewed" in line 14 the following: "Nor shall any license be issued to such person."

Amend Section 3 on page 4 by inserting after the word "discharged" in line 17, the following: "except by a discharge in bankruptcy."

Amend Section 9 by inserting in line 9 of said section, after the word "operator's," the words "or chauffeurs."

Amend Section 9, by inserting in line 14, of said section, after the word "operator's," the words "or chauffeurs."

Amend Section 14, on page 16, by inserting in line 2, on said page, after the word "damage" the following: "provided always, that the insurance carrier shall have the right to settle any claim covered by the policy,

and if such settlement is made in good faith, the amount thereof shall be deductible from the limits of liability specified in the policy"; and as amended do pass.

CUSICK, Chairman.

On motion of Stromnes, report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 261, entitled: "An Act amending the Laws of Montana relating to state lands, providing for the prospecting for and mining of metalliferous minerals and gems in lands owned by the state or reserved in lands sold or leased by the state; empowering the State Board of Land Commissioners to issue prospecting permits and leases for such purposes, and defining the powers of said board with respect to lands containing or supposed to contain such metalliferous minerals and gems, and repealing Sections 48, 49, 50 and 51 of Chapter 60 of the Laws of the Twentieth Legislative Assembly of Montana, constituting Part Five B of said Chapter, as amended by Chapter 186 of the Laws of the Twenty-third Legislative Assembly, subject to the rights of permittees and lessees under permits and leases in good standing at the time of the passage of this Act, and repealing all other Acts and parts of Acts in conflict with this Act," respectfully report as follows: That House Bill No. 261 be amended as follows: By adding a new section to be numbered 15, and to read as follows: "Section 15. Notice to Lessees. Upon the granting of an application for a prospecting permit or a mining lease under the provisions of this Act, the Commissioner of State Lands and Investments shall promptly give written notice to the holder of an agricultural or grazing lease embracing the same land, if there be such lessee, or to the holder of a certificate of purchase or patent embracing the same land, if there be such purchaser or patentee. The said notice shall be addressed to such lessee, purchaser or patentee at his last known post office address."

And renumber the present sections, 15 to 17, to conform; and as amended do pass.

METLEN, Chairman.

On motion of Metlen, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 285, entitled: "An Act appropriating money to carry out the intent and purpose of House Joint Memorial No. 3 of the Twenty-first Legislative Assembly providing for the erection of a statue or bronze memorial of Charles Marion Russell in the statuary hall of the capitol building in Washington, D. C.," respectfully report as follows: That House Bill No. 285 do not pass.

FWOLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 333, entitled: "An Act providing for the printing and distribution of the Revised Codes of Montana of 1935 and appropriating money therefor," respectfully report as follows: That House Bill No. 333 do pass.

FWOLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 152, entitled: "An Act providing for the creation of a State Planning Board for the State of Montana and prescribing the powers and duties of said board; providing for the method for the appointment of the members thereof and making an appropriation therefor; and repealing Chapter 39 of the Extraordinary Session Laws of the Twenty-third Legislative Assembly," respectfully report as follows: That House Bill No. 152 be amended as follows: Amend Section II to read

as follows: "There is hereby created a State Plumbing Board hereinafter referred to as 'the Board.' The board shall consist of five members who shall be the same persons who compose the State Water Conservation Board."

Amend Section III to read as follows: "The Board may in its discretion appoint five or more citizens of the state, representative of the several areas of the state, as an advisory council which shall be advisory to the Board and which shall effect contacts between the Board and the people of the state through local planning bodies."

Amend Section IV to read as follows: "The members of the advisory council as provided for in Section III of the Act shall serve without compensation but shall be entitled to actual and necessary expenses incurred in discharging of duties imposed upon them by the Board."

Amend Section X to read as follows: "The State Water Conservation Board in carrying out the purposes of this Act is hereby authorized to expend from the Conservation Revolving Fund as provided for and appropriated in House Bill No. 517, for the period ending June 30, 1935, Four Thousand Dollars (\$4000.00); for the period beginning July 1, 1935, and ending June 30, 1936, Eight Thousand Dollars (\$8000.00); for the period beginning July 1, 1936, and ending June 30, 1937, Eight Thousand Dollars (\$8000.00)." And as amended do pass.

FWOLVER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 420, entitled: "An Act relating to the sale of cigarettes, and cigarette papers, and wrappers and papers used and prepared for the making of cigarettes, and imposing taxes thereon; and the levy, assessment, collection, payment, and distribution of a tax thereon; providing for issuing licenses for the privilege of engaging in the business of the sale thereof, and providing for the levy, assessment, collection, payment, and distribution of a tax for the privilege of engaging in such business; providing for the regulation of the sales thereof, the enforcement of such tax and license, and penalty for violation of this Act; defining the duties of state and county officials, and designating the funds into which the proceeds derived from such licenses and stamps shall be paid," respectfully report as follows: That House Bill No. 420 be printed and placed on General Orders.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 447, entitled: "An Act to license slot machines and punch boards played for money or tokens redeemable in money and repealing all Acts or parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 447 do not pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 289, entitled: "An Act authorizing the Montana Liquor Control Board to issue "hotel licenses"; to permit the sale of liquor to be consumed on the premises; defining the terms "hotel, restaurant, cafe and cafeteria" and other terms used in the Act; fixing the amount of license fees therefor; prescribing the hours during which liquors may be sold; prohibiting the sale of liquors to minors, and other designated persons; authorizing the Montana Liquor Control Board to pre-

scribe rules and regulations under, and by which, the hotel license may be conducted; prohibiting the sale or traffic in any liquors other than purchased at State Liquor Stores, and providing for the issuance of permits to hotels to purchase supplies from said liquor stores and providing penalties for the violation thereof," respectfully report as follows: That House Bill No. 289 be printed and placed on General Orders.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bills Nos. 474, 397, 350, 15 and 353.

EWING, Chairman.

Without objection, report adopted.

Motion made by Coultas, which was passed temporarily, was put, on House Bill No. 248, that it be indefinitely postponed.

After considerable debate, the previous question was moved by Byrne, duly seconded and carried.

Whereupon motion by Coultas was put and carried.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 351, entitled: "An Act making it mandatory upon the State Highway Commission to perform all highway construction work within the State of Montana, directly under the supervision of the Highway Commission by employing all labor on a "day labor basis," and providing further that the Highway Commission shall furnish all equipment and materials for the performance of said work and providing a penalty and forfeiture for failure to carry out the provisions of this Act," respectfully report as follows: That House Bill No. 351 do not pass.

CUSICK, Chairman.

On motion of Cusick, report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 319, entitled: "An Act relative to the classification of Highways within the State of Montana and defining which of said highways shall be maintained by the Montana Highway Commission from the State Highway Fund," respectfully report as follows: That House Bill No. 319 do not pass.

CUSICK, Chairman.

On motion of Cusick, report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 483, entitled: "An Act to amend Section 1760, of the Revised Codes of Montana, 1921, as amended by Section 1, of Chapter 103, of the Session Laws of the Twenty-third Legislative Assembly, 1933, as further amended by Section 1, of Chapter 38, of the Extraordinary Session Laws, of the Twenty-third Legislative Assembly, 1933, relating to registration fees of motor vehicles," respectfully report as follows: That House Bill No. 483 do not pass.

CUSICK, Chairman.

On motion of Cusick, report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 126, entitled: "An Act to provide an additional gasoline dealers' license tax, providing the amount and method of collec-

tion thereof and how the revenue derived therefrom will be distributed," respectfully report as follows: That House Bill No. 126 do not pass.

CUSICK, Chairman.

On motion of Cusick, report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 121, entitled: "An Act to amend Section 1760 of the Revised Codes of the State of Montana for the year 1921, as amended by Chapter Thirty-eight, Laws of the Extraordinary Session of the Twenty-third Legislative Assembly, relating to the registration and registration fees of motor vehicles and dealers thereof and distribution of the revenues received therefrom," respectfully report as follows: That House Bill No. 121 do not pass.

CUSICK, Chairman.

On motion of Cusick, report adopted.

Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 492, entitled: "An Act to amend Section 6118, of the Revised Codes of Montana, 1921, as amended by Chapter 48 of the Twenty-third Legislative Assembly of the State of Montana, relating to the obtaining of licenses to transact insurance business—all agents providing for filing of applications for license and qualifications of applicant; the filing of statement of company at the time of termination of employment of an agent; providing for the filing of copies of all policies written by the agent providing for the suspension or revocation of licenses and providing for right of appeal from ruling of Insurance Commissioner," respectfully report as follows: That House Bill No. 492 do not pass.

O'BYRNE, Chairman.

On motion of O'Byrne, report adopted.

Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 444, entitled: "An Act to amend Section 13 of Chapter 184 of the Laws of the Twenty-second Legislative Assembly, 1931, relating to the policies of insurance and bonds to be furnished by motor carriers, providing the amount of said bonds and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 444 be printed and placed on General Orders without recommendation.

O'BYRNE, Chairman.

On motion of O'Byrne, report adopted.

Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 454, entitled: "An Act to amend Sections 6347 and 6349, Revised Codes of Montana, 1921, relating to title insurance companies, the capital stock thereof, and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 454 do not pass.

O'BYRNE, Chairman.

On motion of O'Byrne, report adopted.

Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 368, entitled: "An Act to repeal Section 170, Revised Codes of Montana, 1921, relating to the abstracting of Life Insurance Policies," respectfully report as follows: That House Bill No. 368 do not pass.

O'BYRNE, Chairman.

On motion of O'Byrne, report adopted.

Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 217, entitled: "An Act providing for the reorganization of benefit associations; providing for a minimum membership fund and bond necessary before authorization to do business; providing for the amount and method of collecting membership fees; annual dues and assessments, and a fund for the payment of benefits to members or beneficiaries of members; providing conditions of issuance, revocation, and status of certificates of membership; providing certain exemptions; providing for the regulation thereof by the Insurance Commissioner; providing fees to be paid by said association; prohibiting foreign benefit associations doing business in this state; providing penalties," respectfully report as follows: That House Bill No. 217 do not pass.

O'BYRNE, Chairman.

On motion of O'Byrne, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Stromnes, duly seconded, that this House reconsider its action taken on the adoption of the adverse report from the Committee on Appropriations on House Bill No. 285. Motion was lost.

It was moved by Metlen, duly seconded and carried, that the House reconsider its action on House Bill No. 425.

It was moved by Boone, duly seconded and carried, that the House reconsider its action on House Bill No. 414, which was adversely reported by the Committee on Judiciary yesterday.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows; appropriation measures having been read at length:

House Bill No. 486, introduced by Harwood by request, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Doe, Ecton, Egan, Emmett, Ewing, Foor, Goodwin, Gordon, Green (Dawson), Groene (Fergus), Haight, Hall, Harlen, Haugan, Heavlin, Hinerman, Joffray, Johnson, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Hill), Worden, Mr. Speaker. Total 79.

Noes: None.

Absent and not voting: Balgord, Byrne, Cusick, Emmons, Fowler, Gray, Hamilton, Harwood, Hedden, Holding, Kathan, Kelly, Kruse, Logan, McLaughlin, Metlen, Monahan, Moss, Petersen (Sheridan), Ritch, Stromnes, White (Judith Basin), York. Total 23.

The Speaker: 79 have voted "aye"; none have voted "no"; House Bill No. 486 has passed the House.

House Bill No. 329, introduced by Heavlin, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Con-

nors, Coultas, Doe, Ecton, Emmett, Ewing, Foor, Fowler, Goodwin, Gordon, Green (Dawson), Haight, Hall, Hamilton, Harlen, Haugan, Heavlin, Hinerman, Joffray, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Connor, Padbury, Peterson (Gallatin), Peterson (Valley), Quigley, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Hill), Mr. Speaker. Total 75.

Noes: Emmons, Worden. Total 2.

Absent and not voting: Byrne, Cusick, Egan, Gray, Groene (Fergus), Harwood, Hedden, Holding, Johnson, Leary, Logan, McLaughlin, Metlen, Minette, Monahan, Moss, O'Byrne, Ormsbee, Parker, Petersen (Sheridan), Ritch, Rolph, Stromnes, White (Judith Basin), York. Total 25.

The Speaker: 75 have voted "aye," 2 have voted "no"; House Bill No. 329 has passed the House.

House Bill No. 241, introduced by Appropriations Committee by request, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Bertsche, Brennan, Busch, Buttelman, Chamberlain, Chapman, Coultas, Cusick, Ecton, Emmons, Foor, Fowler, Goodwin, Green (Dawson), Hall, Harlen, Harwood, Heavlin, Hinerman, Joffray, Johnson, Kelly, Lasby, Lemmer, Liggett, Lott, Lovell, Masterson, Miller (Roosevelt), Mundy, Nutting, O'Brien, Parker, Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Sherman, Smith, Spiegel, Stevens, Stimatz, White (Judith Basin), Mr. Speaker. Total 48.

Noes: Boone, Doe, Emmett, Ewing, Gordon, Gray, Groene (Fergus), Haight, Hamilton, Haugan, Kuhl, Leavitt, Lippard, McCausland, Metlen, Mitchell, Mulholland, Neary, O'Connor, Ormsbee, Padbury, Stromnes, Watson, Whaley, Worden. Total 25.

Absent and not voting: Balgord, Ballard, Byrne, Conner, Connors, Egan, Hedden, Holding, Kruse, Leary, Logan, McLaughlin, Manning, Miller (Big Horn), Minette, Monahan, Moss, Nelson, O'Byrne, Petersen (Sheridan), Ritch, Sexton, Southmayd, Toomey, York. Total 25.

The following passed their vote: Burris, Kathan, Scofield, White (Hill). Total 4.

The Speaker: 48 have voted "aye," 25 have voted "no"; House Bill No. 241 has passed the House.

Substitute for Substitute House Bill No. 36, introduced by Judiciary Committee, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Connors, Coultas, Cusick, Doe, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hamilton, Harwood, Haugan, Hinerman, Joffray, Kelly, Lasby, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Moss, Mulholland, Neary, Nelson, Nutting, O'Brien, O'Byrne, Ormsbee, Parker, Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sherman, Southmayd, Spiegel, Stevens, Stromnes, Toomey, Whaley, White (Hill), Mr. Speaker. Total 68.

Noes: Balgord, Ecton, Emmett, Hall, Johnson, Kathan, Kruse, Mundy, O'Connor, Padbury, Stimatz, Watson, White (Judith Basin), Worden. Total 14.

Absent and not voting: Acher, Byrne, Egan, Harlen, Heavlin, Hedden, Holding, Kuhl, Leary, Logan, McLaughlin, Manning, Mitchell, Monahan, Petersen (Sheridan), Ritch, Sexton, Smith, York. Total 19.

The following passed his vote: Conner. Total 1.

The Speaker: 68 have voted "aye," 14 have voted "no"; Substitute for Substitute House Bill No. 36 has passed the House.

House Bill No. 336, introduced by Leavitt, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harlen, Haugan, Heavlin, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Moss, Mulholland, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Parker, Peterson (Gallatin), Quigley, Rolph, Scofield, Sherman, Smith, Spiegel, Stevens, Toomey, Watson, Whaley, White (Judith Basin), Worden, Mr. Speaker. Total 75.

Noes: Stimatz. Total 1.

Absent and not voting: Byrne, Egan, Groene (Fergus), Harwood, Hedden, Holding, Hinerman, Leary, Logan, McLaughlin, Manning, Master-son, Metlen, Monahan, Mundy, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Valley), Ritch, Ryan, Sexton, Southmayd, Stromnes, White (Hill), York. Total 26.

The Speaker: 75 have voted "aye," 1 has voted "no"; House Bill No. 336 has passed the House.

House Bill No. 123, introduced by Haugan, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Busch, Buttelman, Chamberlain, Conner, Connors, Coultas, Doe, Ecton, Emmett, Ewing, Fowler, Gordon, Gray, Green (Dawson), Hall, Hamilton, Harwood, Haugan, Heavlin, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Leavitt, Lemmer, Liggett, Lovell, McLaughlin, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Mulholland, Mundy, Nutting, O'Brien, O'Byrne, Parker, Peterson (Gallatin), Rolph, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Whaley, White (Judith Basin), White (Hill), Mr. Speaker. Total 62.

Noes: Goodwin, Groene (Fergus), Haight, Lippard, McCausland, O'Connor, Ormsbee, Ryan, Worden. Total 9.

Absent and not voting: Brennan, Burris, Byrne, Chapman, Cusick, Egan, Emmons, Foor, Harlen, Hedden, Holding, Kuhl, Lasby, Leary, Logan, Lott, Manning, Metlen, Monahan, Moss, Neary, Nelson, Padbury, Petersen (Sheridan), Peterson (Valley), Quigley, Ritch, Stromnes, Toomey, Watson, York. Total 31.

The Speaker: 62 have voted "aye," 9 have voted "no"; House Bill No. 123 has passed the House.

House Bill No. 338, introduced by Leavitt, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Ballard, Bertsche, Boone, Burris, Busch, Buttelman, Chamberlain, Conner, Connors, Coultas, Ecton, Emmett, Ewing, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus),

Haight, Hail, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lemmer, Liggett, Lippard, Lott, McCausland, McLaughlin, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Mulholland, Mundy, Neary, Nelson, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Peterson (Gallatin), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Southmayd, Stevens, Stimatz, Stromnes, Toomey, Whaley, White (Judith Basin), Worden, Mr. Speaker. Total 72.

Noes: None.

Absent and not voting: Balgord, Brennan, Byrne, Chapman, Cusick, Doe, Egan, Emmett, Foor, Hedden, Holding, Lasby, Leary, Leavitt, Logan, Lovell, Manning, Metlen, Monahan, Moss, Nutting, O'Brien, Petersen (Sheridan), Peterson (Valley), Ritch, Smith, Spiegel, Watson, White (Hill), York. Total 30.

The Speaker: 72 have voted "aye," none have voted "no"; House Bill No. 338 has passed the House.

House Bill No. 25, introduced by Smith, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Boone, Busch, Buttelman, Chamberlain, Coultas, Cusick, Ewing, Fowler, Goodwin, Gordon, Green (Dawson), Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hinerman, Kathan, Kruse, Leavitt, Lemmer, Liggett, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Miller (Roosevelt), Minette, Mitchell, Mulholland, Mundy, Neary, Nelson, O'Byrne, Padbury, Peterson (Gallatin), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Stevens, Stimatz, Toomey, Whaley, White (Judith Basin), White (Hill), Worden, Mr. Speaker. Total 60.

Noes: Ballard, Emmett, Groene (Fergus), Haight, Kuhl, Lippard, Logan, Miller (Big Horn), O'Connor, Ormsbee, Parker, Stromnes. Total 12.

Absent and not voting: Brennan, Burris, Byrne, Chapman, Conner, Connors, Doe, Ecton, Egan, Emmons, Foor, Gray, Hedden, Holding, Joffray, Johnson, Kelly, Lasby, Leary, Metlen, Monahan, Moss, Nutting, O'Brien, Petersen (Sheridan), Peterson (Valley), Ritch, Spiegel, Watson, York. Total 30.

The Speaker: 60 have voted "aye," 12 have voted "no"; House Bill No. 25 has passed the House.

House Bill No. 275, introduced by Appropriations Committee, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Ballard, Boone, Buttelman, Chamberlain, Conner, Coultas, Cusick, Ecton, Ewing, Fowler, Green (Dawson), Harlen, Haugan, Kathan, Kuhl, McLaughlin, Masterson, Miller (Big Horn), Mitchell, Mulholland, Mundy, Nelson, O'Byrne, Ormsbee, Padbury, Parker, Peterson (Gallatin), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Stevens, Stimatz, White (Judith Basin), Mr. Speaker. Total 42.

Noes: Balgord, Doe, Emmett, Goodwin, Gordon, Gray, Groene (Fergus), Haight, Hamilton, Heavlin, Joffray, Kelly, Leavitt, Lemmer, Liggett, Lippard, Logan, McCausland, Miller (Roosevelt), Neary, O'Connor, Stromnes, Whaley, White (Hill), Worden. Total 25.

Absent and not voting: Bertsche, Brennan, Burris, Busch, Byrne, Chapman, Connors, Egan, Emmons, Foor, Harwood, Hedden, Holding, Hinerman, Johnson, Kruse, Lasby, Leary, Lott, Lovell, Manning, Metlen, Minette, Monahan, Moss, Nutting, O'Brien, Petersen (Sheridan), Peterson (Valley), Ritch, Spiegel, Toomey, Watson, York. Total 34.

The following passed his vote: Hall. Total 1.

The Speaker: 42 have voted "aye," 25 have voted "no"; House Bill No. 275 has passed the House.

House Bill No. 474, introduced by Burris, was passed by the following vote:

Ayes: Ahlgreen, Balgord, Bertsche, Boone, Burris, Chamberlain, Connors, Coultas, Cusick, Ecton, Ewing, Fowler, Goodwin, Gordon, Groene (Fergus), Haight, Hamilton, Harlen, Haugan, Heavlin, Joffray, Kathan, Kelly, Kruse, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Mulholland, Mundy, Neary, Nutting, O'Byrne, O'Connor, Padbury, Peterson (Gallatin), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stromnes, Whaley, White (Judith Basin), White (Hill), Worden, Mr. Speaker. Total 60.

Noes: Ballard, Buttelman, Conner, Emmett, Hall, Kuhl, McCausland, Stimatz. Total 8.

Absent and not voting: Acher, Anderson, Brennan, Busch, Byrne, Chapman, Doe, Egan, Emmons, Foor, Gray, Green (Dawson), Harwood, Hedden, Holding, Hinerman, Johnson, Lasby, Leary, Logan, Manning, Minette, Monahan, Moss, Nelson, O'Brien, Ormsbee, Parker, Petersen (Sheridan), Peterson (Valley), Ritch, Toomey, Watson, York. Total 34.

The Speaker: 60 have voted "aye," 8 have voted "no"; House Bill No. 474 has passed the House.

House Bill No. 350, introduced by Joffray, was passed by the following vote:

Ayes: Acher, Ahlgreen, Bertsche, Boone, Brennan, Burris, Buttelman, Byrne, Chamberlain, Doe, Ecton, Emmett, Ewing, Goodwin, Gray, Groene (Fergus), Hall, Harlen, Heavlin, Joffray, Kathan, Kelly, Kuhl, Lasby, Leavitt, Lemmer, Lott, Lovell, McCausland, Metlen, Minette, Mitchell, Moss, Mundy, Neary, Nelson, O'Brien, O'Connor, Padbury, Peterson (Gallatin), Scofield, Sexton, Sherman, Southmayd, Stevens, Stromnes, White (Judith Basin), Mr. Speaker. Total 48.

Noes: Anderson, Balgord, Ballard, Busch, Conner, Coultas, Cusick, Gordon, Haight, Hamilton, Haugan, Kruse, Liggett, Lippard, McLaughlin, Masterson, Miller (Roosevelt), Miller (Big Horn), Nutting, Ormsbee, Parker, Quigley, Rolph, Ryan, Stimatz, Whaley, White (Hill), Worden. Total 28.

Absent and not voting: Chapman, Connors, Egan, Emmons, Foor, Fowler, Green (Dawson), Harwood, Hedden, Holding, Hinerman, Johnson, Leary, Logan, Manning, Monahan, Mulholland, O'Byrne, Petersen (Sheridan), Peterson (Valley), Ritch, Smith, Spiegel, Toomey, Watson, York. Total 26.

The Speaker: 48 have voted "aye," 28 have voted "no"; House Bill No. 350 has passed the House.

House Bill No. 15, introduced by McLaughlin, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Brennan, Busch, Buttelman, Connors, Coultas, Cusick, Ecton, Egan, Ewing, Fowler, Goodwin, Gray, Green (Dawson), Groene (Fergus), Hall, Harlen, Heavlin, Joffray, Johnson, Kruse, Liggett, Logan, Lott, McCausland, Masterson, Metlen, Minette, Mitchell, Moss, Mulholland, Mundy, Neary, Nelson, O'Connor, Padbury, Parker, Peterson (Gallatin), Quigley, Rolph, Scofield, Sherman, Smith, Southmayd, Stevens, Stimatz, Whaley, White (Judith Basin), White (Hill), Worden, Mr. Speaker. Total 55.

Noes: Bertsche, Boone, Burris, Doe, Emmett, Emmons, Gordon, Haight, Hamilton, Haugan, Kathan, Kuhl, Lasby, Lemmer, Lippard, Lovell, Miller (Roosevelt), Miller (Big Horn), Nutting, O'Brien, O'Byrne, Ormsbee, Ryan, Spiegel, Stromnes. Total 25.

Absent and not voting: Byrne, Chamberlain, Chapman, Conner, Foor, Harwood, Hedden, Hinerman, Keliy, Leary, Leavitt, Manning, Monahan, Petersen (Sheridan), Peterson (Valley), Ritch, Sexton, Toomey, Watson, York. Total 21.

The following passed his vote: McLaughlin. Total 1.

The Speaker: 55 have voted "aye," 25 have voted "no"; House B.11 No. 15 has passed the House.

House Bill No. 397, introduced by Gray, Toomey, Metlen and Buttelman, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Conner, Connors, Coultas, Cusick, Dce, Ecton, Emmett, Emmons, Ewing, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Leavitt, Liggett, Lippard, Logan, Lovell, McCausland, McLaughlin, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Connor, Ormsbee, Padbury, Parker, Peterson (Gallatin), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Stevens, Whaley, White (Judith Basin), Mr. Speaker. Total 73.

Noes: Ballard, Haight, Lasby, Lemmer, Masterson, Stimatz, Stromnes, Total 7.

Absent and not voting: Chapman, Egan, Foor, Groene (Fergus), Hedden, Holding, Hinerman, Leary, Manning, Monahan, O'Byrne, Petersen (Sheridan), Peterson (Valley), Ritch, Toomey, Watson, White (Hill), Worden, York. Total 19.

The following passed their vote: Acher, Lott, Southmayd. Total 3.

The Speaker: 73 have voted "aye," 7 have voted "no"; House Bill No. 397 has passed the House.

House Bill No. 353, introduced by Judiciary Committee for Code Commissioner, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Ecton, Emmett, Emmons, Fowler, Goodwin, Gordon, Groene (Fergus), Hamilton, Harlen, Harwood, Haugan, Joffray, Johnson, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Masterson, Miller (Roosevelt), Miller (Big Horn), Mulholland, Nelson, Nutting, O'Brien, O'Byrne, Ormsbee, Parker, Peterson (Gallatin), Quigley, Scofield, Sexton, Sherman, Smith, Southmayd, Stevens, Whaley, White (Judith Basin), Worden, Mr. Speaker. Total 60.

Noes: Haight, Stimatz, Stromnes. Total 3.

Absent and not voting: Acher, Brennan, Burris, Doe, Egan, Ewing, Foor, Gray, Green (Dawson), Hall, Heavlin, Hedden, Holding, Hinerman, Kathan, Kelly, Kruse, Leary, McLaughlin, Manning, Metlen, Minette, Monahan, Moss, Neary, O'Connor, Padbury, Petersen (Sheridan), Peterson (Valley), Ritch, Rolph, Ryan, Toomey, Watson, White (Hill), York. Total 36.

The following passed their vote: Mitchell, Mundy, Spiegel. Total 3.

The Speaker: 60 have voted "aye," 3 have voted "no"; House Bill No. 353 has passed the House.

House Joint Resolution No. 6, introduced by Lippard and Gordon, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Ecton, Emmett, Emmons, Ewing, Fowler, Goodwin, Gordon, Haight, Hamilton, Harwood, Haugan, Johnson, Kathan, Kuhl, Lemmer, Liggett, Lippard, Logan, Lovell, McCausland, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Mulholland, Mundy, Nutting, O'Brien, O'Byrne, Ormsbee, Parker, Peterson (Gallatin), Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stromnes, Whaley, White (Judith Basin), White (Hill), Mr. Speaker. Total 58.

Noes: Stimatz. Total 1.

Absent and not voting: Brennan, Burris, Busch, Byrne, Doe, Egan, Foor, Gray, Green (Dawson), Groene (Fergus), Hall, Harlen, Heavlin, Hedden, Holding, Hinerman, Joffray, Kelly, Kruse, Lasby, Leary, Leavitt, Lott, McLaughlin, Manning, Metlen, Minette, Monahan, Moss, Neary, Nelson, O'Connor, Padbury, Petersen (Sheridan), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Toomey, Watson, Worden, York. Total 43.

The Speaker: 58 have voted "aye," 1 has voted "no"; House Joint Resolution No. 6 has passed the House.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bills Nos. 433, 411, 246; House Joint Resolution No. 7 and House Joint Memorial No. 11.

EWING, Chairman.

Without objection, report adopted.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Burris of Deer Lodge in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That House Bill No. 532 be amended as follows: Amend Section 2, page 7, line 183 of the printed bill by striking out "256" and inserting "255"; amend Section 2, line 96 of the printed bill by striking the words and figures "Twenty-eight Thousand Dollars (\$28,000.00)" and inserting in lieu thereof the words "Thirty-one Thousand Five Hundred Dollars (\$31,500.00)";

Amend Section 2, after line 307 by inserting a new line as follows: "from the highway fund, for salaries and expenses, Thirty-five Hundred Dollars (\$3500.00)";

Amend Section 2, line 8 of the printed bill by striking out the words and figures "Fifty Thousand Dollars (\$50,000.00)" and inserting in lieu thereof the words and figures "Sixty-five Thousand Dollars (\$65,000.00)";

Amend Section 3 on page 20, after line 283 a new line as follows: "from the highway fund, for salaries and expenses, Thirty-five Hundred Dollars (\$3500.00)";

Amend Section 3, line 83 by striking out the words "Twenty-eight Thousand Dollars (\$28,000.00)" and inserting in lieu thereof the words

and figures "Thirty-one Thousand Five Hundred Dollars (\$31,500.00)"; and as amended do pass.

BURRIS, Chairman.

On motion of Burris, report adopted.

It was moved by Byrne, duly seconded and carried, that House Bill No. 532 be considered correctly engrossed and placed at the head of Third Reading.

THIRD READING OF HOUSE BILLS

House Bill No. 532, introduced by Appropriations Committee, having been read three several times at length, history and title agreed to, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Coultas, Cusick, Ecton, Egan, Emmett, Ewing, Foor, Fowler, Gordon, Green (Dawson), Harwood, Holding, Hinerman, Kathan, Kruse, Lasby, Leavitt, Lemmer, Liggett, Logan, Lott, Lovell, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Mitchell, Mulholland, Nutting, O'Brien, O'Byrne, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Stevens, Stimatz, Toomey, Whaley, Mr. Speaker. Total 64.

Noes: Burris, Doe, Goodwin, Gray, Groene (Fergus), Haight, Hall, Harlen, Haugan, Kuhl, Lippard, McCausland, Nelson, O'Connor, Spiegel, White (Hill), Worden. Total 17.

Absent and not voting: Boone, Connors, Emmons, Hamilton, Heavlin, Hedden, Joffray, Johnson, Leary, Miller (Big Horn), Minette, Moss, Mundy, Neary, Ritch, Stromnes, Watson, White (Judith Basin), York. Total 19.

The following passed their vote: Kelly, Monahan. Total 2.

The Speaker: 64 have voted "aye," 17 have voted "no"; House Bill No. 532 has passed the House.

It was moved by Byrne, duly seconded and carried, that the House recess until 8:00 o'clock P. M.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 306, entitled: "An Act to amend Section 2917, Revised Codes of Montana, 1921, as amended, relative to the medical and hospital services to be furnished by the Industrial Accident Board," respectfully report as follows: That House Bill No. 306 do pass.

SPIEGEL, Chairman.

On motion of Spiegel, report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 190, entitled: "An Act to amend Section 2870, Revised Codes of Montana, 1921, relative to the definitions of injury; to provide for the payment of compensation for occupational diseases, to define occupational diseases to allow claimants under this Act to present X-ray pictures, supplied by himself, at hearings; to amend Section 2899, Revised Codes of Montana, 1921, relative to the time claims must be presented; and to amend Section 2933 of the Revised Codes

of Montana, 1921, as amended by Section 7, Chapter 177, of the Laws of 1929, relative to the employee's statement of injury," respectfully report as follows: That House Bill No. 190 be amended as follows: In line (5) strike out the "to" and add: "ing" to the word "provide," and after the words "compensation for" insert: "death or disability, resulting from."

In line (6) strike out "to" before the word "define" and the "to" before the word "allow" and add: "ing" to the words "define" and "allow."

In line (7) strike out the "to" before the word "amend" and add: "ing" to "amend."

In line (16) after the word "and" insert: "or."

In Section (3) line (21), after the word "scheduled" insert: "or any other occupational disease not specifically mentioned herein. Provided, such workman has been employed at his particular occupation within the State of Montana for five years immediately preceding his death or disability, providing further, that occasional layoffs from work or occasional absences from the state shall not disbar him from participating in the benefits of this Act."

In Section (5) line (20) after the word "act" add: "provided, however, that nothing in this section shall be construed to prevent the board from requiring the applicant to submit to such additional examination by X-ray or otherwise as the board may direct."

In Section (6) line (21) after the word "disability" add: "of a workman."

In Section (6) line (25) after the word "employment" add: "Every employer in the State of Montana operating within the scope and under the terms of this Act shall insure his workmen under Plan No. 3 of this Act for the coverage of occupational diseases in whatever amount or amounts the Industrial Accident Board may determine, provided that all premiums collected by the board for the coverage of Occupational Diseases as defined in this Act shall be placed in a separate fund to be designated and known as the "State Occupational Disease Fund," said fund shall be kept separate and apart from all other state funds."; and as amended, do pass.

SPIEGEL, Chairman.

On motion of Spiegel, report adopted.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 53, 91, 160 and 180, do hereby report that said bills, together with copies thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:00 o'clock P. M., delivered to the Governor for his approval.

MONAHAN, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 403, entitled: "An Act to amend Section 1759, Revised Codes of Montana, 1921, as amended, and to amend Section 1757, Revised Codes of Montana, 1921, as amended, relative to the issuance of automobile license plates, said amendment to provide for the issuance of such plates by the County Treasurer," respectfully report as follows: That House Bill No. 403 do pass.

CUSICK, Chairman.

On motion of Foor, report adopted.

Mr. Speaker: We, your Committee on Printing, beg leave to report the following correctly printed: House Bills Nos. 309, 404, 214, 2, 298, 400, 284, 322, 438, 413, 448 and Substitute House Bill No. 250.

McCAUSLAND, Chairman.

Without objection, report adopted.

It was moved by Byrne, duly seconded and carried, that the House resolved itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Burris of Deer Lodge in the Chair. Committee arose.
House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That House Bill No. 394 do pass.

That House Bill No. 234 do pass.

That House Bill No. 74 be amended as follows: Amend Section 2 by adding after the word "district" in line 6 the following: "provided that such authority to regulate, supervise, apportion and control shall not apply to users who have water rights or ditch rights, established, acquired by court decree, use, appropriation or otherwise at the time or prior to the organization of such district"; and as amended, do pass.

That House Bill No. 226 do pass.

That House Bill No. 355 be passed temporarily.

That House Bill No. 331 be amended as follows: Amend Section 5 by striking out in line 4-c after the word "project" the semi-colon and inserting in lieu thereof a comma, and inserting thereafter the words: "subject, however, to such prequalification requirements as may be imposed by the public body or bodies referred to in Section 1 (b) hereof."; and as amended, do pass.

That House Bill No. 295 do pass.

That House Bill No. 393 do pass.

That House Bill No. 323 be passed for the day.

That House Bill No. 320 do pass.

That House Bill No. 303 be amended as follows: Amend Section 1 by striking out in line 3-c the words "business within this state including"; and as amended, do pass.

That House Bill No. 472 do pass.

That House Bill No. 346 do pass.

BURRIS, Chairman.

On motion of Burris, report adopted.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

House Bill No. 433, introduced by Toomey, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Lasby, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Watson, Whaley, White (Hill), York, Mr. Speaker. Total 83.

Noes: None.

Absent and not voting: Boone, Doe, Fowler, Green (Dawson), Groene (Fergus), Kruse, Kuhl, Leary, Logan, Moss, Ormsbee, Parker, Ritch, Scofield, Smith, Stromnes, Toomey, White (Judith Basin), Worden. Total 19.

The Speaker: 83 have voted "aye"; none have voted "no"; House B.11 No. 433 has passed the House.

House Bill No. 246, introduced by Nutting, was passed by the following vote:

Ayes: Ahlgreen, Balgord, Bertsche, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Connors, Coultas, Cusick, Ecton, Egan, Emmett, Emmons, Foor, Fowler, Hall, Harwood, Haugan, Hedden, Hinerman, Johnson, Leavitt, Lemmer, Liggett, Logan, Lott, Lovell, McLaughlin, Manning, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Peterson (Sheridan), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sexton, Sherman, Spiegel, Stevens, Watson, Whaley, York, Mr. Speaker. Total 57.

Noes: Acher, Ballard, Byrne, Conner, Doe, Goodwin, Gordon, Gray, Haight, Hamilton, Harlen, Heavlin, Holding, Joffray, Kathan, Kelly, Lasby, Lippard, McCausland, Masterson, Minnette, Mundy, Nelson, Southmayd, Stimatz, White (Hill). Total 26.

Absent and not voting: Anderson, Boone, Ewing, Green (Dawson), Groene (Fergus), Kruse, Kuhl, Leary, Moss, Ormsbee, Padbury, Parker, Peterson (Gallatin), Rolph, Smith, Stromnes, Toomey, White (Judith Basin), Worden. Total 19.

The Speaker: 57 have voted "aye"; 26 have voted "no"; House Bill No. 246 has passed the House.

House Bill No. 411, introduced by Cusick, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Ballard, Bertsche, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Green (Dawson), Hall, Hamilton, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kelly, Lasby, Leavitt, Lemmer, Liggett, Logan, Lovell, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Minnette, Mitchell, Monahan, Moss, Mulholland, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stimatz, Watson, Whaley, York, Mr. Speaker. Total 72.

Noes: Gordon, Harlen, Kathan, Kuhl, Lippard, Miller (Big Horn), Mundy, Nelson, Ritch, Stevens. Total 10.

Absent and not voting: Acher, Balgord, Boone, Byrne, Doe, Gray, Groene (Fergus), Haight, Kruse, Leary, Lott, McCausland, Ormsbee, Parker, Smith, Stromnes, Toomey, White (Judith Basin), White (Hill), Worden. Total 20.

The Speaker: 72 have voted "aye"; 10 have voted "no"; House Bill No. 411 has passed the House.

House Joint Resolution No. 7, introduced by Peterson (Valley), Hinerman, York, Petersen (Sheridan), and Chapman, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harlen, Harwood, Hau-

gan, Heavlin, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kuhl, Lasby, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Watson, Whaley, White (Hill), York, Mr. Speaker. Total 82.

Noes: None.

Absent and not voting: Boone, Byrne, Cusick, Doe, Fowler, Groene (Fergus), Hedden, Kruse, Leary, Leavitt, McLaughlin, Moss, Ormsbee, Padbury, Parker, Smith, Stromnes, Toomey, White (Judith Basin), Worden. Total 20.

The Speaker: 82 have voted "aye"; none have voted "no"; House Joint Resolution No. 7 has passed the House.

House Joint Memorial No. 11, introduced by Lovell and Burris, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Burris, Buttelman, Byrne, Chamberlain, Chapman, Connors, Coultas, Cusick, Emmett, Emmons, Ewing, Foor, Goodwin, Hamilton, Holding, Hinerman, Joffray, Kathan, Kelly, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lott, Lovell, Masterson, Miller (Roosevelt), Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, O'Brien, O'Byrne, O'Connor, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Ritch, Rolph, Ryan, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Watson, Whaley, White (Hill), York, Mr. Speaker. Total 61.

Noes: Busch, Gordon, Gray, Haight, Hall, Harlen, Haugan, Hedden, Johnson, Lippard, McCausland, Miller (Big Horn), Minette, Sexton. Total 14.

Absent and not voting: Boone, Conner, Doe, Ecton, Egan, Fowler, Green (Dawson), Groene (Fergus), Harwood, Heavlin, Kruse, Leary, Logan, McLaughlin, Manning, Metlen, Nutting, Ormsbee, Padbury, Parker, Quigley, Smith, Stromnes, Toomey, White (Judith Basin), Worden. Total 26.

The following passed his vote: Scofield. Total 1.

The Speaker: 61 have voted "aye"; 14 have voted "no"; House Joint Memorial No. 11 has passed the House.

It was moved by Byrne, duly seconded and carried, that the House adjourn until 10:00 o'clock A. M., Friday, February 22nd, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FORTY-SEVENTH DAY

House of Representatives,
Helena, Montana, February 22, 1935.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by Chaplain.

A quorum for the transaction of business was present.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the forty-sixth legislative day, find the same to be correct.

QUIGLEY, Chairman.

Without objection, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Foor, duly seconded and carried that the House reconsider its action taken yesterday on House Bill No. 303.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following correctly enrolled: House Bill No. 87.

MONAHAN, Chairman.

Without objection, report adopted.

I have read House Bill No. 87, as reported from the Enrolling Committee and certify same to be correct.

MINETTE.

The Speaker announced he was about to sign House Bill No. 87, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

House Joint Resolution No. 5, introduced by Sexton, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Buttelman, Chamberlain, Chapman, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Foor, Gordon, Gray, Green (Dawson), Hall, Hamilton, Haugan, Harlen, Heavlin, Kathan, Kelly, Kuhl, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Masterson, Miller (Roosevelt), Minette, Monahan, Mulholland, O'Brien, O'Byrne, O'Connor, Parker, Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Smith, Southmayd, Spiegel, Stevens, Stimatz, Watson, Whaley, White (Judith Basin), Worden, Mr. Speaker. Total 64.

Noes: Hinerman, Mitchell, Petersen (Sheridan), York. Total 4.

Absent and not voting: Acher, Boone, Brennan, Burris, Busch, Byrne, Conner, Ewing, Fowler, Goodwin, Groene (Fergus), Harwood, Hedden, Holding, Joffray, Johnson, Kruse, Lasby, Manning, Metlen, Miller (Big Horn), Moss, Mundy, Neary, Nelson, Nutting, Ormsbee, Padbury, Ritch, Sherman, Stromnes, Toomey, White (Hill). Total 33.

The following passed his vote: Haight. Total 1.

The Speaker: Sixty-four have voted "aye"; four have voted "no"; House Joint Resolution No. 5, has passed the House.

House Joint Memorial No. 8, introduced by Masterson, was passed by the following vote:

Ayes: Anderson, Balgord, Ballard, Busch, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Green (Dawson), Groene (Fergus), Haight, Hall, Harlen, Harwood, Haugan, Heavlin, Hinerman, Johnson, Kathan, Kelly, Kuhl, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, McLaughlin, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Mulholland, Mundy, Nelson, Nutting, O'Connor, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ryan, Scofield, Sherman, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 67.

Noes: Brennan, Gray. Total 2.

Absent and not voting: Acher, Ahlgreen, Bertsche, Boone, Burris, Buttelman, Byrne, Doe, Ecton, Fowler, Hamilton, Hedden, Holding, Joffray, Kruse, Lasby, Logan, Manning, Masterson, Metlen, Monahan, Moss, Neary, O'Brien, O'Byrne, Ormsbee, Padbury, Ritch, Rolph, Sexton, Smith, Southmayd, Stromnes. Total 33.

The Speaker: Sixty-seven have voted "aye"; two have voted "no"; House Joint Memorial No. 8 has passed the House.

House Joint Memorial No. 9, introduced by Minette, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Ballard, Bertsche, Brennan, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Haight, Hall, Harien, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kruse, Kuhl, Leary, Leavitt, Lemmer, Lippard, Logan, Lott, Lovell, McCausland, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Mulholland, Mundy, Neary, Nelson, O'Brien, O'Byrne, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 77.

Noes: Green (Dawson), Groene (Fergus), Liggett. Total 3.

Absent and not voting: Acher, Balgord, Boone, Burris, Byrne, Doe, Fowler, Hamilton, Harwood, Joffray, Kelly, Lasby, McLaughlin, Metlen, Monahan, Moss, Nutting, Padbury, Ritch, Southmayd, Stromnes, White (Judith Basin). Total 22.

The Speaker: Seventy-seven have voted "aye"; three have voted "no"; House Joint Memorial No. 9 has passed the House.

House Memorial No. 2, introduced by Monahan, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Doe, Ecton, Egan, Emmons, Ewing, Foor, Gordon, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harlen, Haugan, Heavlin, Hedden, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Mulholland, Mundy, Nutting, O'Brien, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 79.

Noes: None.

Absent and not voting: Boone, Brennan, Burris, Byrne, Cusick, Emmett, Fowler, Goodwin, Gray, Haight, Harwood, Lasby, McLaughlin, Minette, Monahan, Moss, Neary, Nelson, O'Byrne, Padbury, Ritch, Rolph, White (Judith Basin). Total 23.

The Speaker: Seventy-nine have voted "aye"; none have voted "no"; House Memorial No. 2 has passed the House.

It was moved by Leavitt, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Minette of Glacier in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That House Bill No. 137 do pass.

That House Bill No. 256 be postponed indefinitely.

That House Bill No. 14, be amended as follows: Amend the title by adding in the last line, after the word "employments" the words, "except farming"; and as amended, do pass.

That House Bill No. 173 be passed until this afternoon.

That House Bill No. 344 do pass.

That House Bill No. 404 be amended as follows: Amend Section 2 by striking out in line 3, the words "not within" and inserting in lieu thereof the words "removed from the"; amend Section 2 in line 2, after the word "set," by inserting the word "raise"; and as amended do pass.

MINETTE, Chairman.

On motion of Minette, report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bills Nos. 472, 320, 295, 234 and 74.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following considered correctly engrossed: House Bill No. 346.

EWING, Chairman.

Without objection, report adopted.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

SPECIAL ORDER OF BUSINESS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of House Bill No. 200, Special Order of Business, without the rules of the previous sitting.

Boone of Powell in the Chair. Committee arose to report progress with leave to sit again.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 233, 428, 375, 299, 308, 503, 493, 505, 292, 478, 265, 450, 373, 357, 218, 364, 429, 488, 146, 446, 260, 31, 325, 205, 224, 26, 30, beg leave to report that the same have this date been returned from the printer correctly printed.

McCAUSLAND, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 393, 394, 331, 226, 404, and 14.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following considered correctly engrossed: House Bills Nos. 344 and 137.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 343, entitled: "An Act creating a State Department of Public Relief and providing for the appointment, qualifications, terms of office, powers, duties and compensation of the Montana Relief Commission, the Montana Relief Administrator and the Secretary of the Montana Relief Commission: The establishment of a relief fund defining the purposes and directing the administration thereof, and directing the distribution of moneys to said fund; appropriating a million five hundred Thousand (\$1,500,000.00) dollars per annum, for the Montana Relief Commission, for a period beginning the first day of March, 1935, and ending the first day of March, 1937; appropriating the use of the Montana Relief Commission herein created all funds heretofore appropriated to the use of the existing Montana Relief Commission; providing for the administration of Federal funds made available for the purposes set out in this Act; directing effective and efficient cooperation with Federal authorities or agencies created or to be created by Act of Congress, or created or to be created by the executive of the United States or executive department thereof; providing for the keeping of records and reports of all disbursements made of such funds and moneys and a method of examination and audit of same; providing for the acquisition of property; providing for contracts with the United States, and repealing of all Chapter 45 of the Session Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933, and all of Chapters 20 and 56 of the Laws of the Twenty-third Extraordinary Legislative Assembly of the State of Montana, 1933-34, and all Acts or parts of Acts in conflict with this Act," respectfully report as follows: That House Bill No. 343 do not pass, but that Substitute House Bill No. 343 do pass and be referred to the Appropriations Committee.

BURRIS, Chairman.

On motion of Burris, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Substitute House Bill No. 343, entitled: "An Act harmonizing, revising and codifying the sections of the laws heretofore passed relating to the Montana Relief Commission, and the Emergency Relief Fund; creating a State Department of Public Relief and providing for the appointment, qualifications, terms of office, powers, duties and compensation of the Montana Relief Commission, the Montana Relief Administrator and the Secretary of the Montana Relief Commission; the establishment of a relief fund, defining the purposes and directing the administration thereof; turning over to the Montana Relief Commission herein created all property of the existing commission, and appropriating to the use of the Montana Relief Commission herein created all funds heretofore appropriated to the use of the existing Montana Relief Commission; providing for the administration of Federal funds made available for the purposes set out in this Act; or hereafter to be made available for the purposes set out in this Act; directing effective and efficient cooperation with agencies of this state and its Federal authorities or agencies created by Act of Congress, or created or to be created by the executive of the United States

or executive department thereof; providing for the keeping of records and reports of all disbursements made of such funds and moneys and a method of examination and audit of same; providing for the acquisition of property; providing for contracts with the United States; appropriating three million (\$3,000,000.00) dollars for the Montana Relief Commission, for a period beginning the second day of March, 1935, and ending the first day of March, 1937, and designating the sources thereof by amending Section 97 of Chapter 105, Section 49 of Chapter 106, Section 28 of Chapter 181 and Section 9 of Chapter 180 of the Laws enacted by the Twenty-third Legislative Assembly of the State of Montana (1933), in Regular Session Assembled, as amended by Section 1 of Chapter 57, Section 17 of Chapter 46, Section 2 of Chapter 40, and Section 2 of Chapter 52 respectively of the Laws enacted by said Legislative Assembly in Extraordinary Session and further by amending Section 9 of Chapter 41, Section 4 of Chapter 48, Section 3 of Chapter 51 and Section 10 of Chapter 55, of the Laws enacted by said Legislative Assembly in Extraordinary Session; and repealing all of Chapter 45 of the Session Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933, and all of Chapters 20 and 56 of the Laws of the Twenty-third Extraordinary Legislative Assembly of the State of Montana, 1933-34, and all Acts or parts of Acts in conflict with this Act, and declaring an emergency," respectfully report that Substitute House Bill No. 343 do pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 500, entitled: "An Act to impose a tax of Two (2) Cents upon checks, drafts and orders for the payment of money, and providing for the collection and disposal of such tax," respectfully report as follows: That House Bill No. 500 be amended as follows:

By inserting after the words, "Emergency Relief Fund" in line 22 of the original bill the following: "There is hereby appropriated out of the Emergency Relief Fund, for the administration of this Act, five per centum (5%) of the amount collected hereunder. Any part of such appropriation not expended at the end of each fiscal year shall be credited by the State Treasurer to the Emergency Relief Fund," by inserting a new section to be numbered "Section 2" as follows:

"Section 2. This Act shall be in full force and effect after its passage and approval."

By renumbering Section 2 to read, "Section 3". And as amended, do pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 374, introduced by Egan, respectfully beg leave to report as follows:

House Bill No. 374 was after considerable discussion, recommended for passage in Committee of the Whole, on February 19, 1935. On February 20, 1935, motion to reconsider such previous action carried, and on further motion the bill was re-referred to the Committee on Judiciary with the request from the floor that such committee report as to the constitutionality of the bill.

The subject of apportionment, and representation, so far as the Constitution is concerned, is covered under Article VI, Sections 2 and 3 of that article, providing as follows:

"Section 2. The Legislative Assembly shall provide by law for an enumeration of the inhabitants of the state in the year 1895, and every tenth year thereafter; and at the session next following such enumeration, and also at the session next following an enumeration made by the authority of the United States, shall revise and adjust the apportionment for representatives on the basis of such enumeration according to ratios to be fixed by law.

"Section 3. Representative districts may be altered from time to time as public convenience may require. When a representative district shall be composed of two or more counties, they shall be contiguous and the districts as compact as may be. No county shall be divided in the formation of representative districts."

It is plain from Section 2 that the Legislative Assembly shall provide for the enumeration of the inhabitants every tenth year after the year 1895, and that machinery for such enumeration should be set up by the Legislative Assembly during the year 1935, and that at the session next following such enumeration, the Legislative Assembly should revise and adjust the apportionment and representation, which would be in the year 1937. According to the further provisions of said Section 2, the Legislative Assembly shall revise and adjust the apportionment and representation after the enumeration made by authority of the United States, which will be made in 1940, and that the Legislative Assembly should revise and adjust the apportionment for representatives during the year 1941.

In other words, it is plain that the framers of the Constitution intended that this very vital matter of apportionment and representation should be decided in each ten year period; once following the Federal census and once following the state census which the Constitution makers ordered to be taken.

It is further clear, so far as our information goes, that the state has never attempted to make any enumeration.

Under these circumstances, we are of the view that, at this stage of our legislative proceedings, there is very little prospect of dealing with the subject at all, because the expense of the state census renders that procedure prohibitive at this time.

Consequently, the only course to be taken would seem to be to await the Federal census of 1940, and in 1941 directly attack the problem and make the apportionment accordingly.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 98, entitled: "An Act creating the Montana Highway Patrol Commission, designating the members thereof, providing for the selection; qualification and duties of a Chief Patrol Officer and Patrolmen; defining certain offenses on the highways as menaces to the public health and safety, and fixing penalties for the infraction thereof; providing for state drivers' licenses; creating a Highway Patrol Revolving Fund from licenses and fines; deeming this Act an emergency Act and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 98 do not pass but that Substitute House Bill No. 98 be printed and placed on General Orders.

CUSICK, Chairman.

On motion of Kelly, report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 337, entitled: "An Act to provide for the inspection and analysis of commercial feeding stuffs and by whom and to

regulate the sale thereof in the State of Montana; to define the term commercial feeding stuffs; to provide for guarantees of the ingredients of commercial feeding stuffs and affixing labels to the package thereof; to prohibit the sale of fraudulent or adulterated commercial feeding stuffs; to regulate and license the sale of commercial feeding stuffs; to fix the penalties for the violation of the provisions of this Act," respectfully report as follows: That House Bill No. 337 be amended as follows:

Strike out all of the first sentence of Section 1; In Section 1, line 4, after the word "analysis" add the following: "the taking of samples"; and by striking out in line 6 the words, "taking of samples and"; by striking out in the same line the words, "the same" and inserting the word "samples"; in line 6 of Section 2 immediately before the word "unmixed," insert the words "mixed or"; and in the same line strike out the word "unmixed" before "meals"; in line 9 of Section 2 after the word "middlings" insert the following, "or millrun feed containing not more than 3 kinds in any one mixture"; in line 9 after the word "materials", insert "provided however that not more than three appear in any one mixture"; by inserting in line 9 of Section 4 after the period following the word "state" the following: "provided that only one registration fee shall be required for each brand sold in the state"; in line 5, Section 4 strike out "2" and insert the numeral "3"; in Section 6, line 1, page 3 strike out the words "chemist of the Montana Experiment Station" and insert "Commissioner of Agriculture"; by striking in line 4, Section 9, the words "or the chemist of the Montana Experiment Station." And as amended, do pass.

CHAPMAN, Chairman.

On motion of Chapman, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 405, entitled: "An Act to amend Section 10307 of the Revised Codes of Montana of 1921 as amended by Chapter 141 of the Session Laws of Montana Twenty-third Legislative Session 1933, relating to the order in which debts are to be paid against estates of deceased persons," respectfully report as follows: That House Bill No. 405 do not pass, but that Substitute House Bill No. 405 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 247, entitled: "An Act defining the title conveyed by tax deed and amending Section 9 of Chapter 176 passed by the Twenty-third Legislative Assembly of the State of Montana at its Regular Session in the year 1933, and repealing all Acts and parts of Acts in conflict therewith," respectfully report as follows: That House Bill No. 247 be printed and placed on General Orders.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 95, entitled: "An Act to amend the Judicial Code; defining the jurisdiction and authority of courts of equity as to restraining orders or injunctions in cases arising out of labor disputes; defining "public policy"; declaring an undertaking or promise in conflict with public policy to be unenforceable; allowing no injunction to be issued to prohibit persons doing certain Acts in labor disputes; allowing no injunction to be issued except after hearing in open court of mode of procedure; providing for a person charged with contempt and method of procedure; defining certain words and phrases arising in the Act and repealing all Acts and parts of Acts in conflict therewith," respectfully report as fol-

lows: That House Bill No. 95 do not pass, but that Substitute House Bill No. 95 be printed and placed on General Orders.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 525, entitled: "An Act to amend Sections 8620, 8621, 8624, 8626, 8628, 8629, 8630, 8631, 8632, 8633, 8635, 8637, and 8640 of the Revised Codes of Montana of 1921, relating to assignments for the benefit of creditors and repealing Sections 8615, 8616, 8617, 8618, 8619, 8625 and 8627 and all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 525 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 199, entitled: "An Act to amend Section 4740 of the Revised Codes of Montana of 1921, prohibiting certain officers from practicing law or acting as collection agents," respectfully report as follows: That House Bill No. 199 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 58, entitled: "An Act to require all counties to quiet title to all land acquired by tax sale," respectfully report as follows: That House Bill No. 58 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 414, entitled: "An Act to amend Sections 11817, 11818, 11821, 11826, 11827 and 11832 of the Revised Codes of Montana of 1921, relating to the oath of office, duties and powers of grand juries," respectfully report as follows: That House Bill No. 414 do pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 436, entitled: "An Act to authorize Boards of County Commissioners to take assignments of rent due to property owners under certain conditions in satisfaction for taxes due from said property owners," respectfully report as follows: That House Bill No. 436 do not pass.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 514, entitled: "An Act to repeal Sections 715, 716, 718 to 720 inclusive, 722 to 735 inclusive, Revised Codes of Montana, 1921, and Section 717 and 721, Revised Codes of Montana, 1921, as amended by Chapter 151 Acts of Eighteenth Legislative Assembly all relating to voting by absent electors," respectfully report as follows: That House Bill No. 514 do not pass.

HAIGHT, Chairman.

On motion of Haight, report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 432, entitled: "An Act to amend

Section 590 of the Revised Codes of the State of Montana, 1921, relating to the appointment of judges of election," respectfully report as follows: That House Bill No. 432 do pass.

HAIGHT, Chairman.

On motion of Haight, report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 370, entitled: "An Act to amend Section 715, Revised Codes of Montana, 1921, dealing with absent voters, providing for voting by electors necessarily absent from their precincts or unable to attend the polls because of physical disability; and to amend Sections 716 and 720, Revised Codes of Montana, 1921, and Section 717, Revised Codes of Montana, 1921, as amended by Section 1, Chapter 151, Laws of 1923, all relating to the application for an absent voter's ballot and to the form, mailing and return of such ballot," respectfully report as follows: That House Bill No. 370 do not pass.

HAIGHT, Chairman.

On motion of Haight, report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 348, entitled: "An Act to amend Sections 715 and 716, of the Revised Codes of Montana, 1921, relating to voting by absent electors and electors who because of illness or other physical incapacities cannot attend the polls; providing method of making application for official ballot by such persons and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 348 do not pass.

HAIGHT, Chairman.

On motion of Haight, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 310, entitled: "An Act providing for the furnishing of official bonds by the State of Montana for all public officers, boards and commissions of the state and of each and every political subdivision thereof; providing for the creation of a board of official bonds and of a fund to be known as the Official Bond Liability Fund; prescribing the duties and powers of said board of official bonds, and prescribing the duties of all public officers in regard thereto, and for the adjustment and settlement of liabilities thereby, and to prevent any other manner of bonding public officials," respectfully report as follows: That House Bill No. 310 do not pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 422, entitled: "An Act to establish a minimum wage commission, and provide for the determination and establishments of minimum wages for women minors; to declare public policy; to provide an appropriation therefor; to provide for penalties for violations thereof and repealing all Acts in conflict herewith," respectfully report as follows: That House Bill No. 422, do not pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 207, entitled: "An Act appropriating money in satisfaction and settlement of the claim of Marie C. Belcher for injuries sustained by her upon Project No. 269B of the State Highway Commission of the State of Montana on the twenty-first day of May, 1934, and directing the State Auditor to draw his warrant upon the State High-

way Fund therefor in settlement of said claim upon payment of said warrant," respectfully report as follows: That House Bill No. 207 do not pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 506, entitled: "An Act to permit counties which are indebted beyond the limit provided by Section 5 of Article XIII of the Constitution to operate on a cash basis," respectfully report as follows: That House Bill No. 506 do pass.

BALLARD, Chairman.

On motion of Ballard, report adopted.

Mr. Speaker: We, your Committee on Roads and Highways, having had under consideration House Bill No. 210, entitled: "An Act to assure financial responsibility of the owners and operators of motor vehicles to pay damages to others for bodily injuries, including death at any time resulting therefrom, arising out of the ownership, operation, maintenance, control or use upon the ways of the state of such motor vehicles; defining motor vehicle liability bonds and policies and fixing the limits thereof; providing for the deposit of cash or securities in lieu of procuring a motor vehicle liability bond or policy; requiring all persons who operate or permit a motor vehicle to be operated under Chapter 158 Session Laws of 1933 on the ways of the state to procure a motor liability policy or bond or to make such deposit; providing the form and provisions of such motor vehicle liability policies and bonds; providing for the cancellation of such policies and bonds and the procedure therefor; providing for the issuance of binders in lieu of such policies or bonds; providing that the Commissioner of Insurance shall establish reasonable and non-discriminatory premium charges to be used and charged by companies in connection with the issue and execution of motor vehicle liability policies and bonds; providing for the review of the orders and findings of the commissioner; providing for the establishment of a board of appeal on motor vehicle liability policies and bonds; providing for the review of orders of companies purporting to cancel motor vehicle liability policies or bonds by such board; providing for the review of the findings and orders of such board; providing that companies shall not refuse to issue policies or bonds because of the race or color of the applicant; providing that non-residents shall maintain policies of liability insurance after a period of thirty (30) days after the date of entry of the vehicle into the state or the acquisition by a non-resident of a regular place of abode within the state; providing when the liability on policies and bonds shall become absolute; and providing penalties for violations of the provisions of the Act," respectfully report as follows: That House Bill No. 210 do not pass.

CUSICK, Chairman.

On motion of Cusick, report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 170 entitled: "An Act creating a Highway Patrol for the State of Montana which shall operate under the direction and supervision of the maintenance department of the State Highway Commission; providing for its organization, operation, regulation, powers and duties; providing for the expense and maintenance of same; providing for the disposition of fines and forfeitures collected in enforcing State Highway Statutes and regulations; providing penalties for the violation of this Act; and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 170 do pass.

CUSICK, Chairman.

On motion of Cusick, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Senate Bill No. 73, entitled: "An Act to amend Section 2153 of the Revised Codes of Montana of 1921, as amended by Chapter 182 of the Acts of the Twenty-third Legislative Assembly of the State of Montana, relating to the lien on personal property taxes and defining priority of personal property taxes as applied to real estate and permitting payment and redemption from the lien thereof," respectfully report as follows: That Senate Bill No. 73 be concurred in.

HEDDEN, Chairman.

On motion of Hedden, report adopted.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Special Committee on Relief, having had under consideration House Bill No. 314, entitled: "An Act to amend Section 1 of Chapter 45 of the Session Laws of the Twenty-third Legislative Assembly of 1933, relating to the appointment of the "Montana Relief Commission," respectfully report as follows: That House Bill No. 314 be reported out without recommendation.

RITCH, Chairman.

On motion of Ritch, report adopted.

MOTIONS AND RESOLUTIONS

The following motion was made, seconded and carried:

Mr. Speaker: We, your Committee on Revenue and Taxation, move that a Joint Committee be appointed, composed of three members from the House and request three members from the Senate to study and to allocate the funds from the revenue measures.

ROLPH, Chairman.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following were introduced, read first and second time and referred to committees:

House Resolution No. 7, introduced by Egan and Haight and White of Judith Basin, by request: "A Resolution requesting that the Congress of the United States enact legislation providing all oil, gas and mineral rights may be reserved by the vendor when marginal land is sold to the United States Government." Referred to Committee on Federal Relations.

Substitute House Bill No. 405, introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act to amend Section 10307 of the Revised Codes of Montana of 1921 as amended by Chapter 141 of the Session Laws of Montana Twenty-third Legislative Session 1933, relating to the order in which debts are to be paid against estates of deceased persons." Referred to Committee on Printing.

Substitute House Bill No. 98, introduced by Committee on Roads and Highways: A Bill for an Act entitled: "An Act creating the Montana Highway Patrol Commission, designating the members thereof, providing for the selection, qualification and duties of a Chief Patrol Officer and Patrolmen; defining certain offenses on the highways as menaces to the public health and safety, and fixing penalties for the infraction thereof; providing for state drivers' licenses; creating a Highway Patrol Revolving Fund from licenses and fines deeming this Act an emergency Act and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Printing.

Speaker pro tem in the Chair.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

House Bill No. 472, introduced by Boone, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Emmett, Emmons, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Hall, Harlen, Harwood, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Lasby, Leavitt, Lemmer, Liggett, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Miller (Roosevelt), Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Ritch, Rolph, Ryan, Scofield, Sexton, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 84.

Noes: Haight, Lippard, Watson, White (Judith Basin). Total 4.

Absent and not voting: Bertsche, Egan, Ewing, Groene (Fergus), Hamilton, Haugan, Kruse, Leary, Metlen, Milier (Big Horn), Moss, Peterson (Valley), Quigley, Sherman. Total 14.

The Speaker: Eighty-four have voted "aye"; four have voted "no"; House Bill No. 472 has passed the House.

House Bill No. 320, introduced by Gray, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Busch, Buttelman, Byrne, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Ewing, Foor, Fowler, Goodwin, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Lemmer, Liggett, Lott, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Nutting, O'Brien, O'Byrne, O'Connor, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Rolph, Scofield, Sexton, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Whaley, White (Hill), Worden, Mr. Speaker. Total 78.

Noes: Burris, Chamberlain, Emmons, Gordon, Lasby, Lippard, Lovell, Neary, Ormsbee, Ritch, Ryan, Watson, White (Judith Basin), York. Total 14.

Absent and not voting: Chapman, Haugan, Kuhl, Leary, Leavitt, Logan, Nelson, Padbury, Peterson (Valley), Sherman. Total 10.

The Speaker: Seventy-eight have voted "aye"; fourteen have voted "no"; House Bill No. 320 has passed the House.

House Bill No. 295, introduced by Padbury, Smith and Toomey was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Green (Dawson), Groene (Fergus), Haight, Hall, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Joffray, Johnson, Kathan, Kelly, Kruse, Lasby, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Ritch,

Rolph, Ryan, Scofield, Sexton, Smith, Southmayd, Spiegel, Stevens, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 92.

Noes: Stimatz.

Absent and not voting: Gray, Hamilton, Hinerman, Kuhl, Leary, Logan, Peterson (Valley), Sherman. Total 8.

The following passed his vote: Neary.

The Speaker: Ninety-two have voted "aye"; one has voted "no"; House Bill No. 295 has passed the House.

House Bill No. 234, introduced by Ewing, failed to pass by the following vote:

Ayes: Burris, Chamberlain, Chapman, Cusick, Emmons, Ewing, Fowler, Goodwin, Gray, Hamilton, Hinerman, Joffray, Kathan, Kelly, Leary, Leavitt, Masterson, Monahan, Mulholland, O'Byrne, Ormsbee, Ritch, Ryan, Scofield, Spiegel, Stimatz, Whaley, Mr. Speaker. Total 28.

Noes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Boone, Brennan, Busch, Buttelman, Byrne, Conner, Coultas, Doe, Ecton, Egan, Emmett, Foor, Gordon, Green (Dawson), Groene (Fergus), Haight, Hall, Harlen, Heavlin, Hedden, Holding, Johnson, Kruse, Kuhl, Lemmer, Liggett, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Moss, Mundy, Neary, Nelson, Nutting, O'Brien, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Rolph, Sexton, Smith, Southmayd, Stevens, Stromnes, Toomey, Watson, White (Judith Basin), White (Hill), Worden, York. Total 66.

Absent and not voting: Ballard, Connors, Harwood, Haugan, Lasby, Lippard, Peterson (Valley), Sherman. Total 8.

The Speaker: Twenty-eight have voted "aye," sixty-six have voted "no"; House Bill No. 234 has failed to pass the House.

It was moved by Byrne, duly seconded and carried, that the House recess until 8:15 o'clock P. M.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

A quorum not being present, a call of the House was demanded by the required number.

It was moved by Byrne, duly seconded and carried, that the call of the House be dispensed with.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Institutions, Public Buildings and Grounds, having had under consideration House Joint Resolution No. 8, entitled: "A Resolution requesting Congress to appropriate \$100,000 for the repair and up-keep of the School for the Deaf, Blind and Feeble Minded at Boulder," respectfully report as follows: That House Joint Resolution No. 8 do not pass but that Substitute House Joint Resolution No. 8 do pass.

NEARY, Chairman.

On motion of Neary, report adopted.

Mr. Speaker: We, your Committee on State Institutions, Public Buildings and Grounds, having had under consideration House Bill No. 508, entitled: "An Act to authorize the construction of a building or buildings for

the Montana State Infantile Paralysis Sanitarium; to provide for the issuance of revenue bonds for the payment thereof; to provide that such bonds shall not constitute or be a debt, liability or obligation of the state but shall be secured only by the rents or income of the buildings; to provide for the registration of such bonds; to provide for trust indenture and trustee for said bonds; to provide for the creation of a sinking fund and to define its purposes; to empower the State Board of Examiners to enter into all contracts and agreements necessary or incidental to the execution of its powers under this Act; to provide remedies of bondholders; and declaring an emergency," respectfully report as follows: That House Bill No. 508 do pass.

NEARY, Chairman.

On motion of Neary, report adopted.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 87 and 99, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 10:45 o'clock A. M., delivered to the Governor for his approval.

MONAHAN, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 313, 220, 387, 470, 449, 240, 257, 376 and Substitute House Bills Nos. 195 and 125, beg leave to report that the same have this date been returned from the printer correctly printed.

McCAUSLAND, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on State Institutions, Public Buildings and Grounds, having had under consideration House Bill No. 507, entitled: "An Act to establish a state hospital to be known as the 'Montana State Infantile Paralysis Sanitarium' in some suitable location in the State of Montana, for the treatment of infantile paralysis, prescribing rules and regulations for the same, and making appropriations therefor," respectfully report as follows: That House Bill No. 507 do pass.

NEARY, Chairman.

On motion of Neary, report adopted.

Mr. Speaker: We, your majority Committee on Highways, having had under consideration House Bill No. 282, entitled: "An Act to amend Section 1760 of the Revised Codes of Montana for 1921, as amended by Section 1, of Chapter 103, of the Montana Session Laws of 1933, and to repeal Section 3, of Chapter 158, Session Laws of 1931, and amending Chapter 38 of the Extraordinary Session Laws of the Twenty-third Legislative Assembly of the State of Montana, relating to registration and registration fees of motor vehicles and dealers thereof, and distribution of the revenues received therefrom," respectfully report as follows: That House Bill No. 282 be printed and placed on General Orders, without recommendation.

LEAVITT,
STROMNES,
MOSS,
HALL,
MONAHAN,
BRENNAN,
CUSICK.

Mr. Speaker: We, your minority Committee on Highways, having had under consideration House Bill No. 282, entitled: "An Act to amend Sec-

tion 1760, of the Revised Codes of Montana for 1921, as amended by Section 1, of Chapter 103, of the Montana Session Laws of 1933, and to repeal Section 3, of Chapter 158, Session Laws of 1931, and amending Chapter 38 of the Extraordinary Session Laws of the Twenty-third Legislative Assembly of the State of Montana, relating to registration and registration fees of motor vehicles and dealers thereof, and distribution of the revenues received therefrom," respectfully report as follows: That House Bill No. 282 do not pass.

MINETTE,
SCOFIELD,
ANDERSON,
BOONE,
NELSON,
HEAVLIN,
HAMILTON.

It was moved by Emmons, duly seconded, that the majority report be adopted.

On substitute motion, it was moved by Minette, duly seconded, that the minority report be adopted. Motion was lost, whereupon motion by Emmons was put and carried.

Mr. Speaker: We, your majority Committee on Education, having had under consideration House Bill No. 417, entitled: "An Act to amend Section 1116 of the Revised Codes of Montana, 1921, as amended by Section 1 of Chapter 150 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana for 1927 relative to salary deductions for the teachers retirement salary fund and providing for contributions from the state for partial support of said fund and repealing all Acts in conflict herewith," respectfully report as follows: That House Bill No. 417 do not pass.

O'CONNOR,
MINETTE,
LASBY,
LIPPARD,
HAIGHT,
LOTT,
HEDDEN,
LEAVITT.

Mr. Speaker: We, your minority Committee on Education, having had under consideration House Bill No. 417, entitled: "An Act to amend Section 1116 of the Revised Codes of Montana, 1921, as amended by Section 1 of Chapter 150 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana for 1927 relative to salary deductions for the teachers' retirement salary fund and providing for contributions from the state for partial support of said fund and repealing all Acts in conflict herewith," respectfully report as follows: That House Bill No. 417 do pass.

PETERSON of Valley,
BERTSCHE,
QUIGLEY,
WATSON,
WHALEY,
MOSS.

It was moved by Minette, duly seconded, that the majority report be adopted.

On substitute motion, it was moved by Peterson of Valley, duly seconded that the minority report be adopted. Motion was lost, whereupon motion by Minette was put and carried.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND
THE SENATE

It was moved Byrne, duly seconded and carried, that the messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Substitute House Bill No. 158, by Committee on Judiciary, was this day recommended for non-concurrence by the Senate Committee on Judiciary, report adopted, and bill is herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day introduced without previous notice by unanimous consent of the Senate, read first and second time, and referred to the Committee on Water Conservation and Flood Control:

S. B. No. 219, by Holt, by request: A Bill for an Act entitled: "An Act authorizing the State Board of Land Commissioners to acquire or lease property for development as state forests and state parks and providing for the disposition of income from such lands."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President this day gave notice that he was about to sign and did sign in open session:

H. B. No. 53.
H. B. No. 91.
H. B. No. 160.
H. B. No. 180.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Printing: That S. B. Nos. 161, 164, 167, 132, 155, S. J. R. No. 7, and S. J. M. No. 4 have been correctly printed.

Engrossing: Reported S. B. Nos. 57, 89, 108, 118, 129 and 139 correctly engrossed.

Horticulture: That H. B. No. 54 be amended in Sub-section B of Section 4, line 15, by adding after the word "applicant," the words "said bond to be not less than \$1,000, and as amended, be concurred in.

Stockgrowing and Grazing: That S. B. No. 112 do not pass.

Minority of Taxation Committee: Recommended S. B. Nos. 30 and 32 do not pass.

Taxation: Recommended that S. B. No. 184 be amended by inserting after the word "year" in Section 1, line 15, original bill, the words, "for general fund purposes," and as amended, do pass.

Taxation:

That S. B. No. 197 do pass.

That S. B. No. 5 do not pass.

Judiciary:

That Sub. H. B. No. 158 be not concurred in.

That S. B. No. 215 do pass.

That S. B. No. 204 do not pass.

That S. B. No. 130 do not pass.

That S. B. No. 93 be amended by inserting after the word "business" in line 4, Section 2, page ", the words, "including credit costs and carrying charges," and inserting after the word "business" in line 25, Section 5, page 2, the words, "including credit costs and carrying charges"; and as amended, do pass.

That S. B. No. 199 be amended in Section 3 by striking out in line 11, page 2, the word "commission" and inserting in lieu thereof the word "commissioner," and as amended, do pass.

Fish and Game:

That S. B. No. 100 do not pass.

That S. B. No. 166 do not pass.

That H. B. No. 140 be amended in Section 1, page 4, line 6, by striking out after the word "and," and before the word "on," the words, "with the consent of the owner," and inserting in lieu thereof, "provided that consent of 51% of the owners of private land embraced within the area proposed to be affected,"

And further amend by adding on page 5, line 5, after the word, "petition" and before the word "has" the words "signed by 51% of the owners of private lands embraced within the area proposed to be affected," and as amended, be concurred in.

Elections and Privileges: Reported S. B. No. 183 without recommendation.

Labor and Capital:

That S. B. No. 194 do pass.

That H. B. No. 283 be concurred in.

Roads and Highways: That S. B. No. 114 do not pass.

Corporations other than Municipal: That S. B. No. 212 do pass.

Public Morals: That Sub. H. B. No. 279 do pass.

Water Conservation and Flood Control:

That S. B. No. 41 do not pass.

That S. B. No. 216 do not pass.

That S. B. No. 151 be amended as follows: That sub-paragraph 12 of Section 6 be amended to read as follows: "12. To make any and all contracts with any person, federal agency, municipality, unincorporated town or rural improvement district or authority necessary or convenient for the full exercise of powers herein granted, including, but not limited to (a) contracts for the purchase or sale of energy; (b) contracts for the management and conduct of the business of the authority or any part thereof; (c) contracts for the purchase or sale, lease or other disposition of water for the purpose of irrigation, watering of stock or any other purpose," and as amended, do pass.

Banks and Banking: That S. B. No. 45 do not pass.

Federal Relations: That S. J. M. No. 5 do pass.

Oil and Leases: That S. B. No. 160 do pass.

Engrossing: Reported S. B. No. 127 correctly engrossed.

Printing: Reported S. B. Nos. 143, 191, 192, 145, 189, 188 and 187 correctly printed.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. B. Nos. 74, 150 do not pass.

That Sub. S. B. No. 102, S. B. No. 146, 207 and 214 do pass.

That consideration of S. B. No. 104 be passed for the day.

That S. B. No. 153 be amended in Section 1 by striking out in line 3, after the word "shows," the words, "and games of chance," and inserting in lieu thereof a period;

In Section 3 by inserting in line 3, printed bill, after the word "door," the word "window";

In Section 1 by striking out in line 2 the word "music"; and as amended, do pass.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motions were this day made, duly seconded and carried:

On motion, S. B. No. 174 was referred to the Committee on Counties and Towns.

On motion, S. B. No. 205 was ordered printed and placed on General File.

On motion, further consideration of S. B. No. 183 was indefinitely postponed.

On motion, Senate reconsidered vote by which it adopted report of the Committee on Roads and Highways on S. B. No. 114, and S. B. No. 114 was ordered printed and placed on General File.

On motion, Senate reconsidered vote whereby it approved report of Judiciary Committee that S. B. No. 195 do not pass, and S. B. No. 195 was ordered printed and placed on General File.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced in the Senate, read first and second time, and referred to committees:

H. B. No. 183—Judiciary.

H. B. No. 255—Mines and Mining.

H. B. No. 327—Agriculture.

H. B. No. 427—Counties and Towns.

H. B. No. 489—Finance and Claims.

H. B. No. 490—Finance and Claims.

H. B. No. 147—Education.

H. B. No. 185—Fish and Game.

H. B. No. 188—Counties and Towns.

Sub. H. B. No. 232—Dairies and Dairying.

H. B. No. 266—Compensation.

H. B. No. 316—Public Lands.

H. B. No. 341—Judiciary.

H. B. No. 372—Agriculture.

H. B. No. 409—Irrigation and Water Rights.

H. B. No. 296—Finance and Claims.

Sub. H. B. No. 66—Public Health and Sanitary Affairs.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Acher, duly seconded, that the House reconsider its action on House Bill No. 246. Motion was lost.

It was moved by Byrne, duly seconded and carried, that the House pass the Special Order of Business until 10:00 A. M., Saturday.

It was moved by Byrne, duly seconded and carried, that the House pass House Bill No. 173 for the day.

It was moved by Ballard, duly seconded and carried, that House Bill No. 214 be passed for the day.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND
READING OF THE SAME

The following was introduced, read first and second time and referred to the Committee on Printing:

Substitute House Joint Resolution No. 8, introduced by Committee on State Institutions, Public Buildings and Grounds: "A Resolution memorializing the Congress of the United States of America relating to moving the State School for the Deaf and Blind."

It was moved by Byrne, duly seconded and carried, that Third Reading of House Bills be passed temporarily.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the last regular sitting.

CONSIDERATION OF GENERAL ORDERS

Burris of Deer Lodge, in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That the enacting clause be stricken in House Bill No. 309.

That House Bill No. 322 do pass.

That the enacting clause be stricken in House Bill No. 438.

That House Bill No. 284 be passed for the day.

That the enacting clause be stricken in House Bill No. 400.

That House Bill No. 298 do pass.

That House Bills Nos. 2, 20 and 355 be passed for the day.

That House Bill No. 323 do pass.

That House Bill No. 413 do pass.

That House Bill No. 448 be amended as follows: Amend Section 1, by striking out in line 26 the words "take or" and after the word "send" strike out the word "them" and in line 28, strike out the word "present" and insert the word "send" and as amended, do pass.

BURRIS, Chairman.

On motion of Burris, report adopted.

It was moved by Byrne, duly seconded and carried, that the House adjourn until 9:30 o'clock A. M., Saturday, February 23rd, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FORTY-EIGHTH DAY

House of Representatives,
Helena, Montana, February 23, 1935.

House convened, pursuant to adjournment, at 9:30 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

A quorum for the transaction of business was present. The following were excused: Kathan, Leary and Masterson.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the forty-seventh legislative day, find the same to be correct.

QUIGLEY, Chairman.

Without objection, report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your majority of the Committee on Highways, having had under consideration House Bill No. 244, entitled: "An Act to provide state compensation for persons injured by motor vehicles on the highways of Montana; requiring the payment of a special fee by owners of motor vehicles to provide a fund for such compensation; providing schedules of compensation to be paid under the terms of this Act; defining the powers and duties of the Industrial Accident Board in relation to the administration of this Act; defining certain terms used herein; providing penalties for the violation of this Act and repealing all Acts in conflict herewith," respectfully report as follows: That House Bill No. 244 be printed and placed on General Orders without recommendation.

BRENNAN,
LEAVITT,
HEAVLIN,
NELSON,
CUSICK, Chairman.

Mr. Speaker: We, your minority of the Committee on Highways, having had under consideration House Bill No. 244, entitled: "An Act to provide state compensation for persons injured by motor vehicles on the highways of Montana; requiring the payment of a special fee by owners of motor vehicles to provide a fund for such compensation; providing schedules of compensation to be paid under the terms of this Act; defining the powers and duties of the Industrial Accident Board in relation to the administration of this Act; defining certain terms used herein; providing penalties for the violation of this Act and repealing all Acts in conflict herewith," respectfully report as follows: That House Bill No. 244 do not pass.

MOSS,
BOONE.

It was moved by Cusick, duly seconded, that the report of the majority be adopted.

On substitute motion, it was moved by Anderson, duly seconded and carried, that the report of the minority be adopted.

MOTIONS AND RESOLUTIONS

It was moved by Southmayd, duly seconded, that the House reconsider its action on House Bill No. 400. Motion was lost.

It was moved by Leavitt, duly seconded and carried, that the House reconsider its action in adopting an adverse committee report on House Bill No. 348.

It was moved by Leavitt, duly seconded and carried, that House Bill No. 348 be printed and placed on General Orders.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders and the Special Order of Business, under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Boone of Powell in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 200, a Special Order of Business, and regular business on General Orders, recommend the following:

That the enacting clause be stricken in House Bill No. 200.

That House Bill No. 292 do pass.

That House Bill No. 220 do pass.

That House Bill No. 224 do pass.

That House Bill No. 449 do pass.

That House Bill No. 373 be amended as follows: Amend Section 1 by inserting the word "high" before the word "school" as follows: In lines 16, 17, 21, 25, 28 and 31; and as amended, do pass.

BOONE, Chairman.

It was moved by Boone, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion it was moved by Leavitt, duly seconded, that House Bill No. 200 be segregated from the report of the Committee of the Whole. A roll call was demanded by the required number and the motion was lost by the following vote:

Ayes: Ahlgreen, Anderson, Busch, Buttelman, Byrne, Cusick, Doe, Ecton, Egan, Goodwin, Green (Dawson), Groene (Fergus), Hall, Harwood, Haugan, Kelly, Leavitt, Lippard, Logan, Lott, Lovell, Masterson, Metlen, Mundy, Nelson, Padbury, Petersen (Sheridan), Quigley, Ritch, Scofield, Sexton, Stevens, Toomey, Watson, White (Judith Basin), White (Hill), Worden, York. Total 38.

Noes: Acher, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Chamberlain, Chapman, Conner, Coultas, Emmett, Emmons, Ewing, Foor, Fowler, Gordon, Gray, Haight, Hamilton, Harlen, Heavlin, Hedden, Helding, Hinerman, Joffray, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Lemmer, Liggett, Manning, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Neary, Nutting, O'Brien, O'Byrne, Ormsbee, Parker, Peterson (Gallatin), Peterson (Valley), Rolph, Ryan, Sherman, Smith, Southmayd, Spiegel, Stimatz, Whaley, Mr. Speaker. Total 59.

Absent and not voting: McCausland, McLaughlin, O'Connor, Stromnes. Total 4.

The following passed his vote: Connors. Total 1.

The Speaker: Thirty-eight have voted "aye," fifty-nine have voted "no"; the motion is lost.

It was moved by Fowler, duly seconded, that the House reconsider its action on House Bill No. 200. Motion was lost.

Without objection, the Special Relief Committee on request of Ritch of Fergus was given permission to be excused at 4:00 o'clock P. M.

It was moved by Byrne, duly seconded and carried, that the House recess until 1:15 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR
AND THE SENATE

The Speaker,
House of Representatives,
Helena.

I have the honor to advise you that I have this day approved the following House measures:

H. B. No. 53—Regulating advertising of agricultural products.

H. B. No. 80—Relating to tax on direct and collateral inheritances.

H. B. No. 87—Relating to the establishment of the State Board of Dental Examiners.

H. B. No. 91—Relating to the hours of work of members of paid fire departments.

H. B. No. 99—Relating to fees of the Secretary of State.

H. B. No. 118—Relating to actions quieting title to personal property.

H. B. No. 180—Relating to appointment of County Fair Commissioners.

H. B. No. 182—Relating to persons not entitled to probation of sentence.

F. H. COONEY, Governor.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended by the Senate, and are herewith returned to the House for concurrence in Senate amendments:

H. B. No. 76.

H. B. No. 206.

H. B. No. 236.

H. B. No. 237.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Senate, and bills are herewith returned to the House:

Sub. H. B. No. 44.

H. B. No. 188.

H. B. No. 235.

H. B. No. 266.

H. B. No. 276.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence:

S. B. No. 57, by Campbell.

S. B. No. 89, by Campbell and Larson.

S. B. No. 108, by Meyer.

S. B. No. 118, by Garrison.

S. B. No. 129, by Committee on Banks and Banking.

S. B. No. 139, by Sparling.

S. B. No. 96, by Lamp and Simmons.

S. B. No. 144, by Campbell.

S. B. No. 121, by Benjamin and Nass.

S. B. No. 163, by Angvick and Kalberg.

Sub. S. B. No. 79, by Committee on Public Lands.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and bills are herewith returned to the House:

H. B. No. 124.

H. B. No. 181.

H. B. No. 191.

H. B. No. 359.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that further messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Judiciary: Recommended that S. B. No. 58 be amended by striking out all of the amendments inserted by the Committee on Oil and Leases and that said Senate Bill be further amended in Section 1 by striking out all of lines 28, 29 and 30, page 1, and inserting in lieu thereof the following words: "(c) Any other volatile substance, of less than forty-six (46) degrees Taglianbes-Baume test, when actually sold or used to produce motor power to propel motor vehicles upon public highways or streets within the State of Montana; provided that the lawful tax on the kind of gasoline as defined by this Sub-section (1) (c) shall be collected from the owners or operators of motor vehicles by the State Board of Equalization under the provisions of rules and regulations issued by said board," and as amended, do pass.

Judiciary: Recommended that S. B. No. 134 be amended in the title in line 6 by inserting after the word "bond" the words "or warrant" and be amended in Section 1 by inserting in line 11 after the word "bond" the words "or warrants," and by striking out in line 15 the word "bonds" and inserting in lieu thereof the word "warrant," and by striking out in line 18 the word "bonds" and inserting in lieu thereof the word "warrant," and by striking out in line 19 the period after the word "court," and inserting in lieu thereof a semicolon and inserting immediately following said semicolon the words, "provided, however, that reasonable attorney's fees must be allowed to an owner against whose property a lien is claimed, if such claim be not established," and by inserting in line 20 after the word "bonds" the words, "or warrants," and as amended, do pass.

Judiciary: That S. B. No. 203 be reported without recommendation.

That S. B. Nos. 159, 133 and 202 do pass.

That S. B. No. 136 do not pass.

State Boards and Offices: That H. B. No. 144 be amended in Section A by striking out in lines 10 and 11, printed bill, the following words: "the design and the supervision of mining operations and of processes and apparatus for carrying out such operations"; by placing a comma after

the word "works" where it occurs the second time in Section A, line 14, printed bill, and inserting thereafter the following words, followed by a comma: "excepting the design and the supervision of mining operations and of processes and apparatus for carrying out such operations." That Section C be amended as follows: By striking out in line 3, printed bill, the word "one," and substituting the word "two," and by adding "s" to the word "engineer"; by striking out the second comma in line 4 and substituting therefor the word "and"; by placing a period after the word "engineer" where it occurs the third time in line 4 and striking out thereafter the following words: "and one mining engineer," and as amended, be reported without recommendation.

State Boards and Offices: That H. B. Nos. 235 and 277 be not concurred in. That S. B. Nos. 213 and 217 do pass.

Taxation: That S. B. No. 29 do not pass.

Counties and Towns: That H. B. Nos. 188, 276, be not concurred in. That Sub. H. B. No. 46, H. B. No. 427 be concurred in.

That H. B. No. 192 be reported without recommendation.

That S. B. Nos. 196, 182, 152, 154, 173 be reported without recommendation.

That S. B. No. 158 do not pass.

That S. B. Nos. 179, 174, 88, 193, 170, 110, 172 do pass.

That S. B. No. 208 be amended in Section 1, page 1, line 11, by striking out the word "overdue," after the word "unpaid."

Be amended in Sub-section 3 of Section 2, page 2, beginning on line 13, by striking out the entire sub-section and inserting in lieu thereof the following:

"3. Interest coupons due or past due shall be paid in the order of their presentation."

Be amended in Sub-sections 5 and 6, beginning at line 19 and ending on line 23, by striking out the aforesaid sections entirely.

Be amended on page 3, Section 3, line 2, by striking out after the word "same" the comma and the following words "taking a separate receipt therefor,"

Be amended beginning on line 6 and after the word "payment" by striking out the remainder of the section, ending on line 14 and inserting in lieu thereof the following: "the holder of said bond, warrant and/or coupon, may present a duly authenticated claim covering such partial payment, together with said bond, warrant and/or coupon and upon proper endorsement on said bond, warrant and/or coupon by the holder thereof, the City or Town Council shall approve such claim and direct the Clerk to issue a warrant upon the proper fund payable to the holder of such bond, warrant and/or coupon and in the amount of such partial payment and such warrant shall be paid and taken to account in the usual manner," and as amended, do pass.

Committee on Roads and Highways: That S. B. No. 40 do not pass, but that Substitute S. B. No. 40, entitled: "An Act establishing a Montana Highway Patrol under the direction of the State Highway Commission and defining the powers and duties; authorizing the appointment, specifying the qualifications and duties, defining the powers and fixing the compensation of a Highway Patrol Superintendent, Patrolmen and Assistants; providing for the disposal of fines and forfeitures; designating speed and traffic regulations; requiring drivers' licenses from all resident operators of motor vehicles; regulating the use and authorizing the suspension of such licenses; providing penalties for violations of this Act, regulating the fees of Justices of the Peace in prosecutions under this Act and repealing all Acts in conflict herewith," do pass.

Taxation: Recommend that S. B. No. 218 be amended on page 2, of Section 4-A, Subdivision 3 on page 2, line 8, after the words, "nineteen

hundred" by striking the word "thirty-three" and inserting in lieu thereof the word "thirty-two";

Be amended on page 3 on line 28 by striking the period after the word "value" and adding thereto "; provided, however, that nothing herein shall be construed as meaning that the basic date for the purpose of computing gains or losses on the part of the taxpayer under Chapter 181, Session Laws of 1933, was other than January 1, 1933."

Be amended on page 4, Section 4-B, Subdivision 3, line 22, after the word "but" by inserting the following: "if the property thus transferred (other than stock in trade) is sold or otherwise disposed of by the corporation within the six months subsequent to such transfer, gain or loss to such person or persons shall be recognized as of the date of the exchange, the stock or securities received by such person or persons from the corporation being presumed in the absence of proof to the contrary in such case to be of the same value as the amount of the consideration received by the corporation on the subsequent sale or other disposition of such property";

Be amended on page 4, Subdivision 3, line 23, by inserting before the word "in" at the beginning of the line the words "and it is further provided that"

Be amended on page 4, Subdivision 4, line 32, by striking the words "tax commission" and inserting in lieu thereof the words "Board of Equalization," and as amended, be reported out without recommendation.

Printing: That S. B. Nos. 181, 176 and S. J. R. 6 have been correctly printed.

Labor and Capital: That S. B. No. 209 be amended by adding a section to be known as Section 7-a as follows: "This Act shall not apply to stores who employ no help in addition to the members of their family," and as amended, reported same without recommendation.

Compensation: That H. B. No. 266 be not concurred in.

Finance and Claims: That S. B. No. 198 do not pass.

Relief and Social Welfare: That S. B. Nos. 175 and 169 be reported out without recommendation.

That S. B. No. 140 do not pass.

That S. B. No. 123 do pass.

That S. B. No. 138 do pass.

That S. B. No. 148 be amended by adding at the close of Section 1 after the figures "1936" and as part of said section the following: "Nothing herein contained shall be construed as limiting or in any manner affecting any legislation enacted by this Legislative Assembly relating to the powers, duties and authority of the State Water Conservation Board," and as amended, do pass.

Oil and Leases: That S. B. Nos. 186 and 165 do pass.

Agriculture: That S. B. No. 69 do not pass.

That H. B. No. 262 be concurred in.

That Sub. S. B. No. 69 do pass.

Judiciary: That H. B. No. 135 be amended in the title in line 7, original bill, by placing a comma after the word "towns" and inserting immediately after said comma the word "villages," and further amended in the title by striking out in line 11, original bill, the figures "2761" and inserting in lieu thereof the figures "6112"; and that said bill be further amended by striking out in line 4, Section 5, page 3, original bill, the words "thirty days after recovery," and inserting in lieu thereof the words, "one year from date of disability," and by striking out in Section 11, line 4, of the original bill the figure "2" and inserting in lieu thereof the figure "5" and by striking out in Section 11, line 6, of the original bill the letters

"R. C. M." and inserting in lieu thereof "Revised Codes of Montana," and by striking out in Section 11, line 7, original bill, the letters "R. C. M." and inserting in lieu thereof "Revised Codes of Montana," and as amended, be concurred in.

Water Conservation and Flood Control: That S. B. No. 219 be reported out without recommendation.

Engrossing: That S. B. Nos. 96, 121, 144, 163 and 79 have been correctly engrossed.

Printing: That S. B. No. 212, 194 and 197 have been correctly printed.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. B. No. 110 do pass.

That H. B. Nos. 151, 267, 340, 54, Sub. 46, 192, 277, be concurred in.

That further consideration of Sub. H. B. No. 44 be indefinitely postponed.

That consideration of H. B. No. 140 be passed for the day.

That Sub. H. B. No. 279 be amended in the title by inserting after the word "beer" the words, "or liquor"; and in Section 2 by inserting in line 1 after the word "beer" the words, "or liquor," and as amended, be concurred in.

That consideration of H. B. No. 283 be passed for the day.

That the Secretary be instructed to insert a comma followed by the word "Sanders" after the word "Pondera" in the title of S. J. R. No. 7, and also in line 2 and line 12 of the said resolution; and as amended, do pass.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motions were this day made, duly seconded and carried:

That S. B. Nos. 218, 182, 203, 209, 152, 154, 175, 169, 219, be ordered printed and placed on General File.

That H. B. No. 192 be placed on General File.

That consideration of S. B. Nos. 187, 188, 155, 143, be passed for the day.

On motion, the Senate reconsidered its action in adopting the Taxation Committee report on S. B. No. 29; be printed and placed on General File.

On motion, the Senate reconsidered its action in adopting the committee report on H. B. No. 277, and on motion, bill was ordered placed on General File.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration Business on General File, respectfully report and recommend as follows:

That S. B. No. 104 be amended in Section 2 by inserting in line 11 after the word "sources" the words: "other than that of the state general fund";

Be amended in Section 2 by striking out in line 10 the words and figures, "four per centum (4%)," and inserting in lieu thereof the words, "two per centum (2%)"

Be amended in Section 5 by inserting in line 9 after the word "source" the words, "other than that of the state general fund";

Be amended in Section 6 by striking out in line 10 all words after the words, "sinking fund," and striking out all of lines 11 and 12;

Be amended in Section 6 by striking out in line 17 the words and figures, "four per centum (4%)," and inserting in lieu thereof the words, "two per centum (2%)," and as amended, do pass.

That S. B. Nos. 132, 145 and 161 do pass.

That S. B. No. 164 be amended in Section 1 by striking out in line 9 the words "and fourth classes," and inserting in lieu thereof the words, "fourth and fifth classes," and as amended, do pass.

That S. B. No. 167 do pass.

That S. B. No. 189 be amended in Section 1 by adding after the word "Montana" in line 1 of the printed bill the following: "of 1921";

Be amended in Section 1 by adding after the word "election" in line 6, printed bill, the following: "if no such recommendation is made within said time the County Commissioners shall appoint such judges of election as they may see fit."

Be amended in the title by adding after the word "judges" the words "and clerks";

Be amended in Section 1 by adding in line 1 after the word "judges" the words "and clerks";

Be amended in Section 1 by adding in line 2 after the word "judges" the words "and clerks";

Be amended in Section 1 by adding in line 3 after the word "judges" the words "and clerks";

Be amended in Section 1 by striking out in line 5 after the word "committee" the words "of the major political parties," and as amended, do pass.

That consideration of S. B. Nos. 191 and 192 be passed for the day.

That S. J. M. No. 4 do pass.

That consideration of S. J. R. No. 7 be passed for the time.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced in the Senate, read first and second time and referred to committees:

H. B. No. 15—Finance and Claims.

H. B. No. 25—Finance and Claims.

H. B. No. 123—Finance and Claims.

H. B. No. 241—Finance and Claims.

H. B. No. 275—Finance and Claims.

H. B. No. 329—Judiciary.

H. B. No. 336—Judiciary.

H. B. No. 353—Judiciary.

H. B. No. 338—Judiciary.

H. B. No. 350—Public Morals.

H. B. No. 397—Stockgrowing and Grazing.
 H. B. No. 474—Labor and Capital.
 H. B. No. 486—Counties and Towns.
 H. B. No. 491—Finance and Claims.
 H. B. No. 533—Finance and Claims.
 H. B. No. 532—Finance and Claims.
 Sub. for Sub. H. B. No. 36—Judiciary.
 H. J. R. No. 6—Federal Relations.
 H. J. R. No. 7—Roads and Highways.
 H. J. M. No. 11—Labor and Capital.
 H. B. No. 411—Fish and Game.
 H. B. No. 246—Judiciary.
 H. B. No. 433—Judiciary.

Respectfully,
 C. J. McALLISTER,
 Secretary of the Senate.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following were introduced, read first and second times and referred to committees; all appropriation measures having been read at length:

S. B. No. 57, introduced by Campbell: A Bill for an Act entitled: "An Act establishing a State Temperance Commission, for the purpose of promoting temperance and decreasing the intemperate use of alcoholic liquors; preventing the use thereof by minors; creating a special state fund to be derived only from the liquor traffic to cover the cost of administering this Act; and making an appropriation from the general fund to meet expenses incident to administration of the Act before funds are available in the Treasury to the credit of the 'temperance commission fund' herein established, and providing for the repayment of such appropriation to the general fund when moneys are available in the State Treasury to the credit of the 'temperance commission fund' herein provided for." Referred to Committee on Appropriations.

S. B. No. 139, introduced by Sparling: A Bill for an Act entitled: "An Act to amend Section 4584 of the Revised Codes of Montana of 1921, as amended by Chapter 133 of the Session Acts of the Twenty-first Legislative Assembly of the Montana of 1929, relating to the method of assessing the cost of improvements in rural improvement districts." Referred to Committee on Revenue and Taxation.

S. B. No. 89, introduced by Campbell and Larson: A Bill for an Act entitled: "An Act amending Section 19 of Chapter 181 of the Session Acts of the Twenty-third Legislative Assembly of Montana of 1933 relating to income tax returns." Referred to Committee on Revenue and Taxation.

S. B. No. 108, introduced by Meyer: A Bill for an Act entitled: "An Act declaring illegal, void and unenforceable any provision empowering entry of judgment by confession, or creating an agency to either confess judgment, accept service of process or entry of default in any proceeding in court, when such provision is contained in a contract in writing by which any promise to pay money is created." Referred to Committee on Judiciary.

S. B. No. 118, introduced by Garrison: A Bill for an Act entitled: "An Act to amend Section 6170 and Section 6183 of the Revised Codes of Montana, 1921, relating to rural mutual fire insurance companies." Referred to Committee on Insurance.

S. B. No. 129, introduced by Committee on Banks and Banking: A Bill for an Act entitled: "An Act providing for the filing of notices of chattel mortgages, and renewals, and assignments, and satisfactions thereof on livestock owned by owners of recorded brands, in the office of the General Recorder of Marks and Brands, and the listing of the same in the principal livestock markets with Livestock Commission Stock Inspectors, prescribing the form of such notices and providing what they shall contain and who shall furnish the same, the fee to be charged therefor and to be paid into the livestock commission fund, and non-liability of the General Recorder of Marks and Brands and the Livestock Commission, and its agents and employees." Referred to Committee on Livestock and Public Ranges.

S. B. No. 96, introduced by Lamp and Simmons: A Bill for an Act entitled: "An Act providing for the consolidation of county offices, for the filing of petitions asking for such consolidation and prescribing and defining the powers and duties of Boards of County Commissioners in connection therewith." Referred to Committee on Townships and Counties.

S. B. No. 121, introduced by Benjamin and Nass: A Bill for an Act entitled: "An Act to amend Section 3 of Chapter 108 of the Session Acts of the Twentieth Legislative Assembly of Montana of 1927 relating to oil and gas leases on state lands and authorizing the State Board of Land Commissioners to grant exploratory permits covering not to exceed two thousand five hundred sixty (2560) acres of land for the purpose of testing undeveloped areas of structures for oil and gas." Referred to Committee on State Lands.

S. B. No. 144, introduced by Campbell: A Bill for an Act entitled: "An Act to authorize the erection of a journalism building for the Montana State University at Missoula, to authorize the procuring of funds for the construction of said building from the United States, and to authorize the transfer to the United States of title to the ground upon which the said building is to be erected and to authorize the State Board of Education to enter into a contract with the United States or with any properly constituted person or body representing the United States, for the financing and erection of said building, and for compensation to the United States for the use of said building through the payment of rental, or otherwise, as may be required by the Laws of the United States, or regulations adopted thereunder, and generally to authorize the State Board of Education to enter into such contract or contracts with the United States as may be required by the United States for the procuring of the necessary money to pay for the construction of said building, and to enter into proper and appropriate contracts with contractors, builders, and others, for the erection of such building, and to provide that such contracts shall not be, and never shall become, a charge against the State of Montana, or create a liability, debt or obligation of the State of Montana." Referred to Committee on Education.

S. B. No. 163, introduced by Angvick and Kalberg: A Bill for an Act entitled: "An Act to create a Milk Control Board, to exercise such supervision and control pursuant to the provisions of this Act; to provide for the manner of selecting the members of said Milk Control Board and fixing their compensation; to prescribe and define the powers and duties thereof; to provide penalties of violation of this Act; to provide for licensing and collection of fees and the appropriation of the proceeds thereof for the purposes of this Act, and declaring an emergency." Referred to Committee on Dairying.

Sub. S. B. No. 79, introduced by Committee on Public Lands: A Bill for an Act entitled: "An Act to authorize Boards of County Commissioners to convey to the United States lands acquired by the county for delinquent taxes and to accept in lieu thereof government lands or stand-

ing timber of a value equal to the county lands so exchanged; providing the method of effecting such exchange and disposing of such lieu lands." Referred to Committee on State Lands.

The Speaker appointed the Special Committee under motion made yesterday, on the allocation of revenue to work with a like committee from the Senate, as follows: Rolph of Liberty, Metlen of Beaverhead, Leavitt of Custer.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Petroleum, Oil and Gas, having had under consideration House Bill No. 197, entitled: "An Act relative to the cancellation of gas and oil leases and providing a method therefor," respectfully report as follows: That House Bill No. 197 be amended as follows: In Section 5 by adding at the end of Sub-section 5, the following: "Provided that such judgment so entered by the said Clerk shall be in full force and effect, when it shall have been approved by the judge of such court," and as amended, do pass.

MINETTE, Chairman.

On motion of Minette, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 412, entitled: "An Act providing for the appointment of special officers by the Attorney General to assist in the enforcement of the penal laws of this state, and appropriating money for the payment of all expenses incurred hereunder for a period beginning March 1, 1935, and ending March 1, 1937," respectfully report as follows: That House Bill No. 412 do pass.

FWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Petroleum, Oil and Gas, having had under consideration House Bill No. 286, entitled: "An Act to amend Section 1 of Chapter 171 of the Session Laws of the State of Montana of 1933, relating to the leasing of state lands for oil and gas development," respectfully report as follows: That House Bill No. 286 do not pass.

MINETTE, Chairman.

On motion of Minette, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 293, entitled: "An Act providing educational opportunities for the children of soldiers, sailors and marines who were killed in action or died during the World War," respectfully report as follows: That House Bill No. 293 be amended as follows: In Section 1, lines 7 and 8, the words and figures "Twelve Thousand Dollars (\$12,000.00)" be stricken out, and that there be inserted, in lieu thereof, the words and figures "Three Thousand Dollars (\$3,000.00) and that the bill, as amended, do pass.

FWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following considered correctly engrossed: House Bills Nos. 413, 322 and 323.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 528, beg leave to report that the same has this day been returned from the printer correctly printed.

LIPPARD, Vice-Chairman.

Without objection, report adopted.

It was moved by Burris, duly seconded and carried, that House Bill No. 355 be taken from General Orders and re-referred to the Committee on Fish and Game.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting except that the rules be amended as follows, amendments to be in effect until and including the 50th day: that all debate in Committee of the Whole of any motion be restricted to twenty minutes—ten minutes to be allowed the proponents of the motion and ten minutes to the opponents, opening and closing speeches to be three minutes each, all others two minutes each, the Clerk to keep the time.

CONSIDERATION OF GENERAL ORDERS

Leavitt of Custer in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That House Bill No. 173 be amended as follows: Amend Section 1, line 13 of the printed bill by striking out the word and figure "two" "2" and inserting in lieu thereof the word "one" and the figure "1"; amend Section 3 by striking out in line 6 the words and figures: "to March 31, 1935" and by further striking out in line 6 beginning with and including the word "forty" all the remainder of line 6, all of line 7, all of line 8, all of line 9, and that part of the sentence ending with the colon in line 10; and as amended do pass.

That Substitute House Bill No. 250 be indefinitely postponed.

That Senate Bill No. 73 be concurred in.

That the enacting clause be stricken in House Bill No. 325.

That House Bill No. 30 do pass.

That House Bill No. 31 do pass.

That House Bill No. 233 be amended as follows: Amend Section 1 by striking out in line 33 the words and figures "Six Hundred Seventy-Five Dollars (\$675.00)" and inserting in lieu thereof the words and figures "Three Hundred Dollars (\$300.00)"; amend Section 1, line 18 after the word "seeds" and before the word "or" by inserting the word "feeds"; and as amended do pass.

LEAVITT, Chairman.

It was moved by Leavitt, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by Rolph, duly seconded, that House Bill No. 173 be segregated from the report of the Committee of the Whole. A call of the House was demanded by the required number.

On motion of Burris, call of the House was dispensed with.

After considerable debate the previous question was moved and carried.

A roll call was demanded and the motion was lost by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Brennan, Burris, Busch, Chamberlain, Conner, Connors, Cusick, Emmons, Foor, Fowler, Gordon, Hamil-

ton, Harlen, Harwood, Hinerman, Kruse, Kuhl, Lasby, Lippard, Logan, Lott, Lovell, Manning, Miller (Roosevelt), Mitchell, Monahan, Mulholland, Neary, O'Byrne, Ormsbee, Petersen (Sheridan), Quigley, Rolph, Ryan, Sexton, Sherman, Spiegel, Stimatz, Whaley, York, Mr. Speaker. Total 44.

Noes: Acher, Bertsche, Boone, Buttelman, Byrne, Chapman, Doe, Ecton, Egan, Emmett, Ewing, Goodwin, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Haugan, Heavlin, Hedden, Holding, Joffray, Kelly, Leavitt, Lemmer, Liggett, McCausland, McLaughlin, Metlen, Miller (Big Horn), Minette, Moss, Mundy, Nelson, Nutting, O'Brien, O'Connor, Padbury, Parker, Peterson (Gallatin), Ritch, Scofield, Smith, Southmayd, Stevens, Stromnes, Toomey, Watson, White (Judith Basin), White (Hill), Worden. Total 51.

Absent and not voting: Ballard, Coultas, Johnson, Kathan, Leary, Masterson, Peterson (Valley). Total 7.

The Speaker: 44 have voted "aye"; 51 have voted "no"; motion is lost. Whereupon report of the Committee of the Whole was adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 519, entitled: "An Act providing for a license tax on collection agencies, and providing a penalty for the failure to pay said tax," respectfully report as follows: That House Bill No. 519 do not pass.

ROLPH, Chairman.

On motion of Manning, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 497, entitled: "An Act to provide for the collection of per capita poor taxes and road taxes which are authorized by law and authorizing the seizure and sale of personal property to secure the payment of such taxes," respectfully report as follows: That House Bill No. 497 do pass.

ROLPH, Chairman.

On motion of Manning, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration Senate Bill No. 117, entitled: "An Act to amend Section 8 of Chapter 89 of the Laws of the Twentieth Legislative Assembly of 1927, relating to the amount of capital stock and surplus necessary to the procuring of certificate of authorization, for the establishment of a commercial bank, and providing further for the fixing of the amount of capital stock and surplus necessary in cities or towns of different population," respectfully report as follows: That Senate Bill No. 117 be concurred in.

ACHER, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 482, entitled: "An Act creating the Montana Power Commission, prescribing and defining its powers and duties and appropriating \$10,000 to said power commission," respectfully report as follows: That House Bill No. 482 do not pass.

FOWLER, Chairman.

On motion of Manning, report adopted.

Mr. Speaker: We, your Committee on Public Utilities, having had under consideration House Bill No. 230 entitled: "An Act providing for

the payments of expenses incurred in public utility investigations," respectfully report as follows: That House Bill No. 230 be amended as follows: By inserting a new section, to be known as Section 9, to read as follows: "It is the intent and purpose of this Act to provide a means whereby investigations and appraisals of the properties of public utilities necessary in rate proceedings or investigations, shall be paid for by the utilities so investigated, for the reason that it is difficult for the legislature to determine in advance the amount of appropriations necessary for these purposes and in order that expenses of such investigations shall be borne by the utilities so investigated; but it is further declared that nothing in this Act shall be construed to permit the Public Service Commission to employ large numbers of unnecessary employees to harass or annoy public utilities and that in all matters herein set forth reasonableness shall be used by the commission, and the court may determine the reasonableness of any charges so incurred in any decision rendered with relation thereto; and it is further provided that when an investigation under this Act has once been concluded and determined finally by the commission or by the courts, no investigation covering the same matter with relation to the same utility, where expenses are charged to the public utility, shall be initiated by the commission under the provisions of this Act for the period of two (2) years after the final conclusion of said case, but this Act shall not be construed to repeal any of the existing laws giving the Public Service Commission authority to appoint persons to examine the books, accounts, records and papers of any public utility but shall be held to grant authority with relation to the assessment of charges in addition to that already rendered by existing laws." And that Sections 9 and 10 be re-numbered; and as amended, do pass.

ORMSBEE, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 358, entitled: "An Act making an appropriation for the purpose of paying claims for refund of inheritance taxes erroneously and illegally collected by the State of Montana," respectfully report as follows: That House Bill No. 358 do not pass.

FWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 406, entitled: "An Act to appropriate money for the equipment, operation and maintenance of the State Bureau of Criminal Identification and investigation for the period beginning July 1, 1935, and ending June 30, 1937," respectfully report as follows: That House Bill No. 406 do not pass.

FWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 307, entitled: "An Act to provide care of indigent and incurable invalids and for county relief therefrom and appropriations therefor," respectfully report as follows: That House Bill No. 307 do not pass.

FWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 515, entitled: "An Act to appropriate money from the General Fund of the state to compensate J. G. Link, for services rendered by it to the State of Montana as architect of the dining

hall and guards quarters building of the State Prison at Deer Lodge, Montana, and to reimburse him for the cost of a visit made by him to San Quentin and Folsom prisons in California at the instance of the State Board of Examiners," respectfully report as follows: That House Bill No. 515 do not pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 193, entitled: "An Act making it unlawful for motor vehicles operating in this state to carry for the use of said vehicles auxiliary tanks containing gasoline or other motor fuel and providing a penalty for violation of this Act," respectfully report as follows: That House Bill No. 193 do not pass.

CUSICK, Chairman.

On motion of Cusick, report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 252, entitled: "An Act prohibiting the straying, grazing or running at large of livestock on any fenced State Highway of Montana; providing for herders while on State Highway; providing for impounding and disposition of said livestock, and declaring an emergency to exist," respectfully report as follows: That House Bill No. 252 do not pass.

CUSICK, Chairman.

On motion of Cusick, report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 475, entitled: "An Act relating to motor vehicles, trailers, and semi-trailers, the ownership thereof and other interests therein; providing for the registration thereof upon payment of certain fees and the issuance of certificate of title therefor upon payment of certain fees; providing for assignment of number plates; providing for the licensing of persons in the business of dealing in motor vehicles and accessories; providing for the distribution of registration fees; providing for an auto theft fund and use thereof; providing for the filing of chattel mortgages and conditional sales contracts on motor vehicles; providing for the administration of this Act by motor vehicle department and registrar of motor vehicles; providing for the enforcement of motor vehicle laws and imposing penalties for violation of this Act and repealing Sections 1755 to 1763, inclusive, Revised Codes of Montana, 1921, and all Acts amendatory thereto; Section 1, Chapter 107, Session Laws of 1923; Sections 1 to 21, inclusive, Chapter 113; and Section 1, Chapter 177, Session Laws of 1925; Section 1, Chapter 74; Sections 1 and 2, Chapter 88; and Section 1, Chapter 129, Session Laws of 1927; Sections 1 to 4, inclusive, Chapter 171; Sections 1 to 3, inclusive, Chapter 181; Section 1, Chapter 182; and Section 1, Chapter 183, Session Laws of 1929; Sections 1 to 5, Chapter 158, Session Laws of 1931; Section 1, Chapter 103; Sections 1 and 2 and sub-division "C" of Section 4 and Section 5, Chapter 158, and Sections 1 and 2, Chapter 159, Session Laws of 1933; and Section 1, Chapter 13, and Section 1, Chapter 38 of the Laws of the Extraordinary Session, 1933; and all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 475 be amended as follows: Sections 12, 13 and 14 shall be stricken out; and as amended, do pass.

CUSICK, Chairman.

On motion of Cusick, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 511, entitled: "An Act to provide for the

support of the government of Montana for the years 1935 and 1936," respectfully report as follows: That House Bill No. 511 do pass.

HEDDEN, Chairman.

On motion of Hedden, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 424, entitled: "An Act to amend Section 2231, Revised Codes of Montana, 1921, relating to assessment and sale of real estate for taxes," respectfully report as follows: That House Bill No. 424 do not pass; but that Substitute House Bill No. 424 do pass.

ROLPH, Chairman.

On motion of Emmons, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 522, entitled: "An Act to amend Section Ten (10) of Chapter One Hundred Eighty-one (181) of the Acts of the Twenty-third Legislative Assembly of Montana of 1933, relating to exemptions from the payment of income tax," respectfully report as follows: That House Bill No. 522 do not pass; but that Substitute House Bill No. 522 do pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 300, entitled: "An Act to amend Section 182 of the Session Laws of the Eighteenth Legislative Assembly, 1923, and as further amended by Chapter 180 of the Session Laws of the Twenty-first Legislative Assembly, 1929, relating to the depositing of funds in the hands of the State Treasurer; and providing for the security to be delivered by the banks designated as depositories by the State Depository Board," respectfully report as follows: That House Bill No. 300 be printed and placed on General Orders.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 301, entitled: "An Act to amend Section 4767 of the Revised Codes of Montana of 1921, as amended by Chapter 89 of the Laws of the Eighteenth Legislative Assembly, and as further amended by Chapter 137 of the Laws of the Nineteenth Legislative Assembly and as further amended by Chapter 134 of the Laws of the Twentieth Legislative Assembly, and as further amended by Chapter 49 of the Twenty-first Legislative Assembly, and as further amended by Chapter 23 of the Extraordinary Session of the Twenty-third Legislative Assembly, relating to the deposit of county, city and town funds," respectfully report as follows: That House Bill No. 301 be printed and placed on General Orders.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 342, entitled: "An Act levying an annual business tax on banks for the privilege of doing business; providing for the administration and enforcement; prescribing penalties for the violation thereof," respectfully report as follows: That House Bill No. 342 be printed and placed on General Orders.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 302, entitled: "An Act to amend Sections 1 and 16 of Chapter 166 of the Montana Session Laws of 1933 relating to amount of license tax of corporations and providing for the distribution thereof," respectfully report as follows: That House Bill No. 302 be printed and placed on General Orders.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 504, entitled: "An Act to amend Section 45, of Chapter 106, of the Session Laws of the Twenty-third Legislative Assembly, 1933, as further amended by Chapter 46, of the Extraordinary Session Laws of the Twenty-third Legislative Assembly, 1933, relating to the Beer Act and placing limitations on a beer licensee," respectfully report as follows: That House Bill No. 504 do not pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 93, entitled: "An Act to amend Sections 1999 and 2000 of the Revised Codes of Montana of 1921 relating to the classification of taxable property," respectfully report as follows: That House Bill No. 93 do not pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 523, entitled: "An Act to amend Sections 2 and 28, of Chapter One Hundred Eighty-one (181) of the Laws of Montana, 1933, as amended by Sections 1 and 2, of Chapter Forty, (40), of the Laws of Montana of the Extraordinary Session of 1933-1934, regulating the rate of personal income tax to be paid, and the distribution of said tax," respectfully report as follows: That House Bill No. 523 do not pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 487, entitled: "An Act to amend Section 1, of Chapter 160, of the Session Laws, of the Twenty-third Legislative Assembly, 1933, relating to the issuing of bonds by incorporated cities and towns and providing for refunding bonds, optional or redeemable," respectfully report as follows: That House Bill No. 487 do pass.

GOODWIN, Chairman.

On motion of Goodwin, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bills Nos. 220, 298, 373, 224.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following correctly enrolled: House Bills Nos. 124, 181, 191, 359.

MONAHAN, Chairman.

Without objection, report adopted.

I have read House Bill No. 124 as reported from the Enrolling Committee and certify same to be correct.

MILLER of Big Horn.

I have read House Bill No. 181 as reported from the Enrolling Committee and certify same to be correct.

GOODWIN.

I have read House Bill No. 191 as reported from the Enrolling Committee and certify same to be correct.

LOTT.

I have read House Bill No. 359 as reported from the Enrolling Committee and certify same to be correct.

KELLY.

The Speaker announced he was about to sign House Bill No. 124, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 181, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 191, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 359, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

MOTIONS AND RESOLUTIONS

It was moved by Fowler, duly seconded and carried, that House Bill No. 233 be considered properly engrossed and placed at the head of the list on Third Reading.

It was moved by Minette, duly seconded and carried, that further consideration of House Bills Nos. 248 and 249 be indefinitely postponed.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following bill was introduced, read first and second time and referred to the Committee on Printing:

Substitute House Bill No. 522, introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Sections 2 and 28 of Chapter 181, Laws of 1933, as amended, by Chapter 40 of the Laws of Montana of the Extraordinary Session of 1933-34 and to amend Sections 10, 14 and 15 of Chapter 181, Laws of 1933, relating to the levy and collection of income taxes providing for exemptions and fixing the basis and rate of tax and the distribution thereof."

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Leavitt of Custer in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That House Bill No. 478 do pass.

That House Bill No. 488 do pass.

That House Bill No. 308 do pass.

That House Bill No. 284 do pass.

That House Bill No. 428 be amended as follows: Amend Section 1 line 2, after the word "any" insert the following: "second or third grade"; and strike all of Section 4; and as amended, do pass.

LEAVITT, Chairman.

On motion of Leavitt, report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 385, 469, 481, 485, 479, 531, 378, 443, 201, 330, Substitute House Bill No. 13, beg leave to report that the same have this date been returned from the printer correctly printed.

McCAUSLAND, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bill No. 448.

EWING, Chairman.

Without objection, report adopted.

It was moved by Byrne, duly seconded and carried, that the House recess until 8:30 o'clock P. M.

EVENING SESSION

Parker, Kelly, Acher and Bertsche were excused by the Speaker from attending the evening session.

MOTIONS AND RESOLUTIONS

It was moved by Leavitt, duly seconded and carried, that the Clerk be instructed to amend House Bill No. 292, which is now in the Engrossing Room, by adding Section 2 as follows: "The appropriations hereinabove provided for shall be deemed and held valid notwithstanding the provisions of the budget act."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 211, entitled: "An Act providing for the establishment and operation of a central accounting department and central accounting system in and for the State of Montana, for all departments, bureaus, institutions, boards and other agencies, and providing an appropriation to carry out the provisions of this Act," respectfully report as follows: That House Bill No. 211 do not pass, but that Substitute House Bill No. 211 do pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND
READING OF THE SAME

The following were introduced by unanimous consent, read first and second time at length, and referred to committees:

Substitute House Bill No. 211, introduced by Leavitt: A Bill for an Act entitled: "An Act providing for the establishment and operation of a central accounting department and central accounting system in and for the State of Montana, for all departments, bureaus, institutions, boards and other agencies, and providing an appropriation to carry out the provisions of this Act." Referred to Committee on Printing.

Substitute House Bill No. 424, introduced by Anderson, Quigley, York, and Petersen of Sheridan: A Bill for an Act entitled: "An Act to amend Section 2231, Revised Codes of Montana, 1921, relating to assessment and sale of real estate for taxes." Referred to Committee on Printing.

House Bill No. 534, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate money for the payment of certain deficiency claim arising out of the making of repairs to the State Capitol Building." Referred to Committee on Appropriations.

House Bill No. 535, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act appropriating money for the payment of certain claims for refund of gasoline tax paid by the various departments of the United States Government." Referred to Committee on Appropriations.

House Bill No. 536, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate money for the payment of certain deficiency claims arising out of the operation of the Vocational School for Girls." Referred to Committee on Appropriations.

House Bill No. 537, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate money for the payment of certain deficiency claims arising out of the operation of the Orthopedic Commission." Referred to Committee on Appropriations.

House Bill No. 538, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate money for the refund of excessive collection of taxes by the State of Montana." Referred to Committee on Appropriations.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 538, entitled: "An Act to appropriate money for the refund of excessive collection of taxes by the State of Montana," respectfully report as follows: That House Bill No. 538 do pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 537, entitled: "An Act to appropriate money for the payment of certain deficiency claims arising out of the operation of the Orthopedic Commission," respectfully report as follows: That House Bill No. 537 do pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 536, entitled: "An Act to appropriate

money for the payment of certain deficiency claims arising out of the operation of the Vocational School for Girls," respectfully report as follows: That House Bill No. 536 do pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 535, entitled: "An Act appropriating money for the payment of certain claims for refund of gasoline tax paid by the various departments of the United States Government," respectfully report as follows: That House Bill No. 535 do pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 534, entitled: "An Act to appropriate money for the payment of certain deficiency claim arising out of the making of repairs to the State Capitol Building," respectfully report as follows: That House Bill No. 534 do pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 362, entitled: "An Act to reduce taxes on real and personal property by limiting the levies which may be made by Boards of County Commissioners and city and town councils and commissioners for county, school and municipal taxes," respectfully report as follows: That House Bill No. 362 do not pass.

HEDDEN, Chairman.

On motion of Hedden, report adopted.

Mr. Speaker: We, your Committee on Dairying, having had under consideration Senate Bill No. 163, entitled: "An Act to create a Milk Control Board, to exercise such supervision and control pursuant to the provisions of this Act; to provide for the manner of selecting the members of said Milk Control Board and fixing their compensation; to prescribe and define the powers and duties thereof; to provide penalties for violation of this Act; to provide for licensing and collection of fees and the appropriation of the proceeds thereof for the purposes of this Act, and declaring an emergency."

SEXTON, Chairman.

On motion of Sexton, report adopted.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

House Bill No. 233, introduced by Fowler, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Doe, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Green (Dawson), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Logan, Lott, Lovell, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nutting, O'Byrne, O'Connor, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman,

Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 82.

Noes: Boone, Ecton, Johnson, McCausland, Nelson, O'Brien, Toomey. Total 7.

Absent and not voting: Acher, Bertsche, Coultas, Gray, Groene (Fergus), Kathan, Kelly, Leary, Lippard, McLaughlin, Manning, Parker. Total 12.

The following passed his vote: Peterson (Gallatin). Total 1.

The Speaker: 82 have voted "aye"; 7 have voted "no"; House Bill No. 233 has passed the House.

House Bill No. 74, introduced by Leavitt, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Hinerman, Joffray, Johnson, Kruse, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, O'Byrne, O'Connor, Ormsbee, Padbury, Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 86.

Noes: Kuhl. Total 1.

Absent and not voting: Acher, Bertsche, Coultas, Kathan, Kelly, Leary, McLaughlin, Moss, O'Brien, Parker. Total 10.

The following passed their vote: Boone, Holding, Nutting, Petersen (Sheridan), Southmayd. Total 5.

The Speaker: 86 have voted "aye"; 1 has voted "no"; House Bill No. 74 has passed the House.

House Bill No. 346, introduced by Minette, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Brennan, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Doe, Ecton, Egan, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Harlen, Harwood, Haugan, Hedden, Holding, Hinerman, Kruse, Lasby, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Byrne, O'Connor, Ormsbee, Padbury, Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 74.

Noes: Boone, Burris, Busch, Buttelman, Emmett, Emmons, Hamilton, Heavlin, Joffray, Johnson, Kuhl, Manning, Petersen (Sheridan), Rolph, Ryan, Stimatz, Worden. Total 17.

Absent and not voting: Acher, Bertsche, Coultas, Kathan, Kelly, Leary, Logan, McLaughlin, Moss, O'Brien, Parker. Total 11.

The Speaker: 74 have voted "aye"; 17 have voted "no"; House Bill No. 346 has passed the House.

House Bill No. 137, introduced by Groene of Fergus, was passed by the following vote:

Ayes: Ahlgreen, Balgord, Ballard, Bertsche, Boone, Brennan, Busch, Buttelman, Byrne, Chapman, Conner, Cusick, Ecton, Egan, Emmett, Ewing, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harwood, Haugan, Joffray, Kruse, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Mulholland, Mundy, Nelson, O'Brien, O'Byrne, O'Connor, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Scofield, Sherman, Southmayd, Stevens, Toomey, Watson, White (Judith Basin), White (Hill), Worden, York. Total 61.

Noes: Anderson, Burris, Chamberlain, Connors, Emmons, Foor, Haight, Heavlin, Hedden, Holding, Hinerman, Johnson, Kuhl, Lasby, Leavitt, Manning, Masterson, Monahan, Neary, Nutting, Ormsbee, Rolph, Ryan, Sexton, Smith, Spiegel, Stimatz, Stromnes, Whaley, Mr. Speaker. Total 30.

Absent and not voting: Acher, Coultas, Doe, Harlen, Kathan, Kelly, Leary, Logan, McLaughlin, Moss, Parker. Total 11.

The Speaker: 61 have voted "aye"; 30 have voted "no"; House Bill No. 137 has passed the House.

House Bill No. 344, introduced by Foor, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Cusick, Ecton, Egan, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kruse, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Connor, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 87.

Noes: Emmett, Kuhl. Total 2.

Absent and not voting: Acher, Conner, Coultas, Doe, Kathan, Kelly, Leary, McLaughlin, O'Brien, O'Byrne, Parker, Smith, Stromnes. Total 13.

The Speaker: 87 have voted "aye"; 2 have voted "no"; House Bill No. 344 has passed the House.

House Bill No. 331, introduced by Committee on Revenue and Taxation, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Cusick, Ecton, Egan, Emmett, Emmons, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Heavlin, Hedden, Holding, Hinerman, Joffray, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 84.

Noes: Johnson, Nelson, Stimatz. Total 3.

Absent and not voting: Acher, Conner, Coultas, Doe, Ewing, Haugan, Kathan, Kelly, Leary, Logan, McLaughlin, Minette, Ormsbee, Parker, Stromnes. Total 15.

The Speaker: 84 have voted "aye"; 3 have voted "no"; House Bill No. 331 has passed the House.

House Bill No. 226, introduced by Spiegel, Chamberlain, Holding, Ormsbee, O'Byrne and Ryan, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Burris, Byrne, Chamberlain, Chapman, Connors, Cusick, Egan, Emmett, Emmons, Foor, Fowler, Goodwin, Gordon, Gray, Hamilton, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kruse, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Neary, Nelson, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 74.

Noes: Boone, Busch, Buttelman, Green (Dawson), Groene (Fergus), Hall, Harlen, Metlen, Minette, Peterson (Gallatin), Toomey, White (Judith Basin). Total 12.

Absent and not voting: Acher, Conner, Coultas, Doe, Ecton, Ewing, Haight, Kathan, Kelly, Leary, McLaughlin, Mundy, Parker, Stromnes. Total 14.

The following passed their vote: Kuhl, Nutting. Total 2.

The Speaker: 74 have voted "aye"; 12 have voted "no"; House Bill No. 226 has passed the House.

House Bill No. 394, introduced by Leavitt, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), Worden, York, Mr. Speaker. Total 84.

Noes: None.

Absent and not voting: Acher, Byrne, Coultas, Doe, Fowler, Haight, Harlen, Kathan, Kelly, Leary, McLaughlin, Metlen, Moss, Parker, Ritch, Rolph, Stromnes, White (Hill). Total 18.

The Speaker: 84 have voted "aye"; none have voted "no"; House Bill No. 394 has passed the House.

It was moved by Byrne, duly seconded and carried, that further Third Reading of House Bills be passed temporarily.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Burris of Deer Lodge in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That House Bill No. 493 do pass.

That House Bill No. 505 do pass.

That House Bill No. 218 be amended as follows: Amend Section 14 by striking out in line 13 the words and figures "One Thousand Dollars (\$1,000.00)" and inserting in lieu thereof the words "Two Hundred Fifty Dollars (\$250.00)"; and as amended do pass.

BURRIS, Chairman.

It was moved by Burris, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by Ormsbee, duly seconded, that House Bill No. 218 be segregated from the report of the Committee of the Whole.

A roll call was demanded and the motion was lost by the following vote:

Ayes: Anderson, Ballard, Brennan, Chamberlain, Chapman, Conner, Cusick, Foor, Gordon, Gray, Haight, Hamilton, Hedden, Hinerman, Johnson, Lippard, Manning, Masterson, Miller (Roosevelt), Nutting, Ormsbee, Petersen (Sheridan), Peterson (Valley), Quigley, Rolph, Smith, Stevens, Stimatz, Whaley, York. Total 30.

Noes: Ahlgreen, Balgord, Bertsche, Boone, Burris, Busch, Buttelman, Byrne, Connors, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Goodwin, Green (Dawson), Groene (Fergus), Harlen, Harwood, Haugan, Heavlin, Holding, Joffray, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Logan, Lott, Lovell, McCausland, Metlen, Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, O'Brien, O'Byrne, O'Connor, Padbury, Parker, Peterson (Gallatin), Ritch, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Toomey, Watson, White (Judith Basin), White (Hill), Worden, Mr. Speaker. Total 62.

Absent and not voting: Acher, Coultas, Fowler, Hall, Kathan, Kelly, Leary, McLaughlin, Miller (Big Horn), Stromnes. Total 10.

The Speaker: 30 have voted "aye"; 62 have voted "no"; the motion is lost.

Whereupon the report of the Committee of the Whole was adopted.

It was moved by Byrne, duly seconded and carried, that the House adjourn until 11:00 o'clock A. M., Sunday, February 24th, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FORTY-NINTH DAY

House of Representatives,
Helena, Montana, February 24, 1935.

House convened, pursuant to adjournment, 11:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

A quorum for the transaction of business was present. The following were excused: Kathan, Heavlin, Harlen and Coultas.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the forty-eighth legislative day, find the same to be correct.

QUIGLEY, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 289, 152, 444, 306, beg leave to report that the same have this date been returned from the printer correctly printed.

McCAUSLAND, Chairman.

Without objection, report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 442, entitled: "An Act creating the Montana Highway Patrol Commission, designating the members thereof; providing for the selection, qualification and duties of a Chief Patrol Officer and Patrolmen; defining certain offenses on the highways as menaces to the public health and safety, and fixing penalties for the infraction thereof; providing for state drivers' licenses; creating a Highway Patrol Revolving Fund from licenses and fines and deeming this appropriation Act an emergency Act and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That House Bill No. 442 be amended as follows: On pages 6 and 7, of the original bill, strike out all of Section 13. And as amended, do pass.

CUSICK, Chairman.

On motion of Cusick, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and bills are herewith returned to the House:

Sub. H. B. No. 46.

H. B. No. 151.

H. B. No. 192.

H. B. No. 277.

H. B. No. 340.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 54 was this day killed on Third Reading in the Senate, and bill is herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence:

S. B. No. 94.

Sub. S. B. No. 102.

S. B. No. 110.

S. B. No. 127.
S. B. No. 146.
S. B. No. 153.
S. B. No. 207.
S. B. No. 214.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended by the Senate, title and history agreed to, and bills are herewith returned to the House for concurrence in the Senate amendments:

Sub. H. B. No. 279.
H. B. No. 267.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that further messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That consideration of S. B. Nos. 187 and 194 be passed for the day.

That S. B. Nos. 143 and 191 do pass.

That S. B. No. 192 be amended in Section 1 by striking out in line 4, printed bill, the following words "of mortgages or has become delinquent in the payment":

Be amended in Section 1 by striking out in line 7, printed bill, after the word "commissioners," the words "may in its discretion," and inserting in lieu thereof the word "shall"; and as amended, do pass.

That S. B. Nos. 197, 212, 188, 58 and S. J. R. No. 6 do pass.

That S. B. No. 155 be amended in Section 2 by striking out lines 1 to 8 inclusive, and inserting in lieu thereof the words, "the State Land Board and/or the State Board of Examiners and/or the State Board of Education or any other board or agency of the State of Montana and/or Boards of County Commissioners having jurisdiction over any lands which may require the use of any water or water rights owned or controlled by the State Water Conservation Board or the United States or its agencies, are hereby authorized to enter into such contracts as are necessary with the State Water Conservation Board, the United States or agencies of the United States, or others for the purchase of water or water rights needed for such lands, and may enter into whatever contracts as are necessary or expedient, similar to contracts executed by individuals or others, to secure for the state, state institutions, counties and state school and county lands the benefits of such water or water rights, which obligations may be similar to";

Be amended in Section 3 by striking the entire paragraph and inserting in lieu thereof the following: "Section 3. The obligations provided for in this Act to be incurred upon behalf of the counties and state shall not be in the nature of direct obligations by either said counties or the State of Montana but shall constitute liens upon such water or water

right to be purchased for the benefit of such lands. Such lands may not be sold to enforce said liens, but any charges properly assessed against such water or water rights shall be continuous until paid, and if not sooner paid, shall be paid from the proceeds of sale or leasing of said lands," and as amended, do pass.

That further consideration of S. B. No. 176 be indefinitely postponed.

That S. B. No. 181 be amended in Section 1 by striking out in lines 22 and 23, after the word "exceed" the word and figure "two (2)," and inserting in lieu thereof the word and figure "one (1)"; and as amended, do pass.

That H. B. Nos. 135, 140, 262 and 427 be concurred in.

That consideration of H. B. No. 144 be passed for the time.

That consideration of H. B. No. 283 be passed for the day.

That S. B. Nos. 93, 160, 170, 172, 199, 215, 187 do pass.

That consideration of S. B. Nos. 154 and 179 be passed for the day.

That S. J. M. No. 5 do pass.

That consideration of S. B. No. 184 be passed for the day.

That S. B. No. 205 be amended in Section 2 by striking out in line 2, the words, "Secretary of State" after the word "the," and inserting in lieu thereof the words, "Chairman of the Board of Equalization";

Be amended in Section 2 by adding in line 3 after the word, "committee," the words, "one of whom shall be named chairman and";

Be amended in Section 3, line 3, by adding after the word, "property," the words, "tax records and other county records";

Be amended in Section 5 by striking out in lines 6 and 7 the words and figures, "Two Hundred Dollars (\$200.00)," and inserting in lieu thereof the words and figures, "Four Hundred Dollars (\$400.00)"; and as amended, do pass.

That further consideration of H. B. No. 144 be indefinitely postponed.

That H. B. Nos. 123, 397 and 296 be concurred in.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day introduced without previous notice by unanimous consent of the Senate, read first and second time and referred to the Committee on Water Conservation and Flood Control:

S. B. No. 220, by Holt and Oliver: A Bill for an Act entitled: "An Act to provide for the ratification and approval of the Yellowstone River Compact."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motions were this day made, duly seconded and carried:

By Parkin: "Mr. President, the House having appointed a committee to act with a Committee of the Senate in allocating the various revenue measures before the Assembly, I move that the Chair appoint a committee of three to act with the committee appointed in the House as a Joint Committee to allocate the revenue measures."

That S. B. No. 177 be printed and placed on General File.

That S. B. No. 187 be returned to General File.

That S. B. No. 220 be printed and placed on General File.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motions were this day made, duly seconded and carried:

That H. B. No. 144 be placed on General File.

That H. B. No. 173 be printed and placed on General File.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President this day gave notice that he was about to sign, and did sign in open session:

H. B. No. 87.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Printing: That S. B. Nos. 199, 172, 93, 160, 154, 184, 170, 215, 205, 179, S. J. M. No. 5, correctly printed.

Engrossing: That S. B. Nos. 146, 153, 207, 214, 94 and Sub. 102 have been correctly engrossed.

Agriculture: That H. B. No. 243 be amended by striking out Section 2 and Section 6, and as amended, be concurred in.

Education:

That S. B. Nos. 190 and 156 do not pass.

That H. B. No. 291 be concurred in.

Finance and Claims: That H. B. Nos. 15, 241, 123, 296 be concurred in.

Counties and Towns:

That S. B. No. 92 do not pass, but that Sub. S. B. No. 92, being "An Act to amend Section 4874 of the Revised Codes of Montana of 1921, as amended by Chapter 82 Session Acts of the Eighteenth Legislative Assembly of 1923, and to repeal Sections 4873, 4875, 4877, 4878, 4880, 4881, 4882 and 4883 of the Revised Codes of Montana of 1921, relating to the authority of County Commissioners to fix the number and compensation of deputies and assistants to county officers," do pass.

That H. B. No. 486 be concurred in.

Stockgrowing and Grazing: That H. B. No. 397 be concurred in.

Public Health and Sanitary Affairs: That Sub. H. B. No. 66 be concurred in.

Judiciary:

That S. B. No. 26 do pass.

That Senate Sub. for H. B. No. 3 do not pass, but that Senate Substitute for Senate Substitute for H. B. No. 3, entitled: "An Act amending Sections 2, 8, 9, 10, 12, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 35, 45,

46, 53, 54, 60, 61, 63, 65, 77, 91, 92 and 103; and to repeal Sections 28, 100, and 102 of Chapter 105 of the Session Laws of the Twenty-third Legislative Assembly of Montana of 1933, commonly known as the 'State Liquor Control Act of Montana' and all other Acts and parts of Acts in conflict herewith," do pass.

State Boards and Officers: That S. B. No. 177 be reported without recommendation.

New Counties and Divisions: That S. B. Nos. 147 and 185 do not pass.

Elections and Privileges: That S. B. No. 157 do not pass.

Water Conservation and Flood Control: That S. B. No. 220 be reported without recommendation.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF THE SAME

The following were introduced, read first and second time and referred to committees:

Senate Bill No. 94, introduced by Benjamin: A Bill for an Act entitled: "An Act to amend Section 4771 of the Revised Codes of Montana of 1921, relating to the duties of State Examiner and County Clerk." Referred to Committee on State Boards and Officers.

Substitute Senate Bill No. 102, introduced by Committee on Labor and Capital: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 196 of the Session Laws of 1931 providing for the employment of prison labor in the manufacture of common and cement sand brick and for construction and repair of buildings at the Montana State Prison." Referred to Committee on Labor.

Senate Bill No. 110, introduced by Holt and Delaney: A Bill for an Act entitled: "An Act validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore issued by public bodies of this state for public works projects." Referred to Committee on Water Conservation and Flood Control.

Senate Bill No. 127, introduced by Committee on Water Conservation and Flood Control: A Bill for an Act entitled: "An Act to provide for the cooperation and coordination by the state and governmental units thereof, and to encourage state and national industrial recovery by cooperation with the National Government in aid of effectuating the objects and purposes and benefits of such national legislation whereby moneys, funds and resources are made available to promote the rehabilitation of agriculture, trade and industry; furnish relief for unemployment by authorizing the State Water Conservation Board to make loans and accept grants from the President or any and all departments or agencies of the United States for flood control projects, irrigation systems and projects, conservation, maintenance and operation of projects in the reclamation of lands within the state, electrification and rehabilitation, or any other public works of a beneficial character; to accept from private owners deeds or other instruments of trust relating to land, improve and sell the same; to execute and perform agreements and contracts relating to the construction and financing of such projects by any department or agency of the United States; to issue revenue bonds payable out of the revenues derived from any project or system of irrigation, electrical service or other public works; and conferring additional authority, power and duty upon the Water Conservation Board of the State of Montana." Referred to Committee on Water Conservation and Flood Control.

Senate Bill No. 146, introduced by Delaney: A Bill for an Act entitled: "An Act for the prevention of the sale or giving away, except by licensed practitioners of medicine, osteopathy or other licensed practitioners of the healing arts and of licensed pharmacists, of contraceptive devices, or other articles, devices, or appliances designed for that purpose or for the purpose of preventing venereal disease, or sex inciting devices, and authorizing officers of the laws to make arrests for violation of the Act, and to seize stocks of such articles unlawfully held or offered for sale, and prescribing a penalty for the violation of this Act." Referred to Committee on Public Health and Sanitary Affairs.

Senate Bill No. 153, introduced by Benjamin and Nass. A Bill for an Act entitled: "An Act to prohibit the conducting of entertainment at, in, about or adjacent to any beer hall, room, establishment or premises in which beer is sold under the Laws of Montana; defining the terms used in this Act; providing penalties for the violation of this Act, and repealing all Acts in conflict herewith." Referred to Committee on Public Morals, Charities and Reforms.

Senate Bill No. 207, introduced by Hennessy and Coburn: A Bill for an Act entitled: "An Act to amend Section 2899 of the Revised Codes of Montana, 1921." Referred to Committee on Workmen's Compensation.

Senate Bill No. 214, introduced by Cotter and Garrison: A Bill for an Act entitled: "An Act permitting injured workmen or public officer to file claims for compensation for alleged industrial accident injury and disability after the expiration of six months from the date of the happening of the accident, injury and disability and permitting notice thereof to be deemed given." Referred to Committee on Workmen's Compensation.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 335, entitled: "An Act to amend Section 10 of Chapter 66 of the Session Laws of the Eighteenth Legislative Assembly of Montana of 1923, relating to the governing of the State Purchasing Department and the manner of purchasing supplies and allowing purchase of Montana produce or manufactured products under certain conditions and allowing a differential in price to be paid therefore," respectfully report as follows: That House Bill No. 335 do pass.

MULHOLLAND, Chairman.

On motion of Spiegel, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 419, entitled: "An Act to amend Chapter Fifty-two (52) of the Laws of the Extraordinary Session, Twenty-third Assembly, 1933-34, relating to certain license fees fixing the amount of such license fees and prescribing a method for the assessment thereof," respectfully report as follows: That House Bill No. 419 do pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration Senate Bill No. 129, entitled: "An Act providing for the filing of notices of chattel mortgages, and renewals, and assignments, and satisfaction thereof on livestock owned by owners of recorded brands, in the office of the General Recorder of Marks and Brands, and the listing of the same in the principal livestock markets with Livestock Commission Stock Inspectors, prescribing the form of such notices and providing what they shall contain and who shall furnish the same, the fee to be charged therefor and to be paid into the livestock

commission fund, and non-liability of the General Recorder of Marks and Brands and the Livestock Commission, and its agents and employees," respectfully report as follows: That Senate Bill No. 129 be concurred in.

SHERMAN, Chairman.

On motion of Sherman, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Kelly, duly seconded and carried, that the House pass consideration of House Bill No. 393 on Third Reading temporarily.

It was moved by Rolph, duly seconded and carried, that the House reconsider its action on House Bills Nos. 300, 301 and 342.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following considered correctly engrossed: House Bills Nos. 30, 31, 505, 284 and 478.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bills Nos. 449, 292, and 428.

EWING, Chairman.

Without objection, report adopted.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, history and title agreed to, all appropriation measures having been read at length, were disposed of as follows:

House Bill No. 220, introduced by Ritch, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Bertsche, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Doe, Ecton, Emmett, Emmons, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harwood, Haugan, Hedden, Hinerman, Joffray, Kuhl, Lasby, Leary, Lemmer, Liggett, Lippard, Lott, Lovell, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Byrne, O'Conner, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Ritch, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, Mr. Speaker. Total 79.

Noes: None.

Absent and not voting: Acher, Ballard, Boone, Brennan, Burris, Coultas, Egan, Ewing, Harlen, Heavlin, Holding, Johnson, Kathan, Kelly, Kruse, Leavitt, Logan, McCausland, Nelson, Quigley, Rolph, Smith, York. Total 23.

The Speaker: Seventy-nine have voted "aye," none have voted "no"; House Bill No. 220 has passed the House.

House Bill No. 224, introduced by Ritch, Groene of Fergus, Haight and Egan, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green

(Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harwood, Haugan, Hedden, Holding, Hinerman, Joffray, Kelly, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Galatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Sherman, Spiegel, Stevens, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 80.

Noes: Busch, Lovell, Southmayd, Stimatz. Total 4.

Absent and not voting: Boone, Brennan, Burris, Coultas, Fowler, Harlen, Heavlin, Johnson, Kathan, Kruse, Logan, Lott, McCausland, Padbury, Scofield, Sexton, Smith, Stromnes. Total 18.

The Speaker: Eighty have voted "aye," four have voted "no"; House Bill No. 224 has passed the House.

A call of the House was demanded by the required number, for Third Reading of House Bill No. 14. On motion of Byrne, call of the House was dispensed with.

House Bill No. 14, introduced by Holding and Mulholland, being a constitutional amendment, and having been read three several times, was passed by the necessary two-thirds vote of the entire membership of the House as required by Section 9, of Article 19 of the State Constitution, and in compliance with the provisions thereof, the bill is set forth in its entirety as follows: A Bill for an Act entitled: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section Four (4) of Article Eighteen (18) of the Constitution of the State of Montana, relating to the hours of labor in all industries, occupations, undertakings and employments, except farming."

Be it Enacted by the Legislative Assembly of the State of Montana:

Section 1. That Section Four (4) of Article Eighteen (18) of the Constitution of the State of Montana be amended as hereinafter provided, and that the question of such amendment be submitted to the qualified electors of the State of Montana at the general election to be held on November 3, 1936.

Section 2. That Section Four (4) of Article XVIII of the constitution be, and the same is hereby amended to read as follows:

"Section 4. A period of eight hours or less shall constitute a day's work in all industries, occupations, undertakings, and employments, except farming, provided, however, that the Legislative Assembly may by law reduce the number of hours constituting a day's work whenever in its opinion a reduction will better promote the general welfare, but it shall have no authority to increase the number of hours constituting a day's work beyond that herein provided."

Section 3. Separate official ballots shall be provided at said general election, which shall have printed thereon all of said Section 4 of Article XVIII of the constitution, as amended by this Act, and below the same shall be printed the words:

☐

For the above written amendment to the constitution

☐

Against the above written amendment to the constitution

Each elector shall designate his preference by marking an "X" in the square before the proposition for which such elector desires to vote.

Section 4. The vote cast for and against the amendment above proposed shall be canvassed, determined and declared as provided by the General Election Laws of the State of Montana.

Section 5. All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 6. This Act shall take effect and be in full force from and after its passage and approval.

House Bill No. 14, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Fowler, Goodwin, Gordon, Groene (Fergus), Haight, Hamilton, Harwood, Holding, Hinerman, Joffray, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Mitchell, Monahan, Moss, Mulholland, Neary, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 82.

Noes: Foor, Gray, Green (Dawson), Hall, Haugan, Hedden, McCausland, Miller (Big Horn), Minette, Mundy, Nelson, Nutting, Watson, White (Judith Basin). Total 14.

Absent and not voting: Burris, Coultas, Harlen, Heavlin, Johnson, Kathan. Total 6.

The Speaker: Eighty-two have voted "aye," fourteen have voted "no"; House Bill No. 14 has passed the House.

House Bill No. 404, introduced by O'Byrne, Spiegel and Neary, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Hall, Hamilton, Harwood, Hedden, Holding, Hinerman, Kelly, Lasby, Leary, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McLaughlin, Manning, Masterson, Miller (Roosevelt), Mitchell, Monahan, Moss, Mulholland, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Whaley, York, Mr. Speaker. Total 71.

Noes: Boone, Conner, Green (Dawson), Haight, Haugan, Joffray, Kuhl, Miller (Big Horn), Nelson, Padbury, Smith, Watson, Worden. Total 13.

Absent and not voting: Burris, Coultas, Cusick, Doe, Gray, Groene (Fergus), Harlen, Heavlin, Johnson, Kathan, Kruse, Leavitt, McCausland, Metlen, Minette, Mundy, White (Judith Basin), White (Hill). Total 18.

The Speaker: Seventy-one have voted "aye," thirteen have voted "no"; House Bill No. 404 has passed the House.

House Bill No. 448, introduced by Burris, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Busch, Buttelman, Chamberlain, Chapman, Connors, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Haight,

Hall, Hamilton, Harwood, Haugan, Hedden, Holding, Hinerman, Joffray, Kelly, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, O'Brien, O'Byrne, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stromnes, Toomey, Watson, Whaley, Worden. Mr. Speaker. Total 78.

Noes: Conner, Kuhl, Padbury, Stimatz. Total 4.

Absent and not voting: Brennan, Burris, Byrne, Coultas, Gray, Green (Dawson), Groene (Fergus), Harlen, Heavlin, Johnson, Kathan, Kruse, McCausland, Metlen, Minette, Moss, Nutting, White (Judith Basin), White (Hill), York. Total 20.

The Speaker: Seventy-eight have voted "aye," four have voted "no"; House Bill No. 448 has passed the House.

House Bill No. 322, introduced by Toomey, by request was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Green (Dawson), Groene (Fergus), Haight, Hall, Harwood, Haugan, Hedden, Holding, Hinerman, Joffray, Kelly, Kuhl, Lasby, Leary, Leavitt, Lemmer, Lippard, Logan, Lott, Lovell, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Moss, Mulholland, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, Worden, Mr. Speaker. Total 80.

Noes: None.

Absent and not voting: Acher, Burris, Conner, Coultas, Fowler, Gray, Hamilton, Harlen, Heavlin, Johnson, Kathan, Kruse, Liggett, McCausland, Melten, Minette, Monahan, Mundy, Stromnes, White (Judith Basin), White (Hill), York. Total 22.

The Speaker: Eighty have voted "aye," none have voted "no"; House Bill No. 322 has passed the House.

House Bill No. 323, introduced by Toomey, by request, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Boone, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Cusick, Doe, Emmett, Emmons, Foor, Fowler, Goodwin, Haight, Hall, Harwood, Haugan, Hedden, Hinerman, Joffray, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Logan, Lott, Lovell, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Mitchell, Moss, Mulholland, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Toomey, Watson, Whaley, White (Judith Basin), Worden, York, Mr. Speaker. Total 72.

Noes: Acher, Bertsche, Conner, Ewing, Gordon, Gray, Hamilton, Lippard, Miller (Big Horn), Stimatz. Total 10.

Absent and not voting: Ballard, Burris, Coultas, Ecton, Egan, Green (Dawson), Groene (Fergus), Harlen, Heavlin, Holding, Johnson, Kathan, McCausland, Minette, Monahan, Mundy, Nelson, Ritch, Stromnes, White (Hill). Total 20.

The Speaker: Seventy-two have voted "aye," ten have voted "no"; House Bill No. 323 has passed the House.

House Bill No. 413, introduced by Parker, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Doe, Ecton, Egan, Emmons, Foor, Gordon, Gray, Groene (Fergus), Haight, Hamilton, Haugan, Hedden, Kelly, Kruse, Lasby, Leary, Liggett, Lippard, McLaughlin, Manning, Masterson, Metlen, Monahan, Moss, Mulholland, Neary, Nutting, O'Brien, O'Byrne, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Sexton, Sherman, Smith, Spiegel, Stevens, Stimatz, Toomey, Whaley, White (Hill), York, Mr. Speaker. Total 63.

Noes: Boone, Busch, Emmett, Goodwin, Hall, Harwood, Joffray, Kuhl, Leavitt, Lemmer, Logan, Lovell, Miller (Big Horn), Mitchell, Nelson, O'Connor, Southmayd, Stromnes, Watson, White (Judith Basin), Worden. Total 21.

Absent and not voting: Burris, Coultas, Ewing, Fowler, Green (Dawson), Harlen, Heavlin, Holding, Hinerman, Johnson, Kathan, Lott, McCausland, Miller (Roosevelt), Minette, Mundy, Ritch, Scofield. Total 18.

The Speaker: Sixty-three have voted "aye," twenty-one have voted "no"; House Bill No. 413 has passed the House.

House Bill No. 373, introduced by Moss, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Boone, Busch, Buttelman, Byrne, Chapman, Connors, Ecton, Emmett, Emmons, Foor, Goodwin, Gordon, Gray, Green (Dawson), Hall, Harwood, Haugan, Hedden, Hinerman, Kelly, Kruse, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 75.

Noes: Brennan, Chamberlain, Cusick, Haight, Hamilton, Kuhl. Total 6.

Absent and not voting: Ballard, Burris, Conner, Coultas, Doe, Egan, Ewing, Fowler, Groene (Fergus), Harlen, Heavlin, Holding, Joffray, Johnson, Kathan, Metlen, Minette, Mundy, Ritch, Rolph, Stromnes. Total 21.

The Speaker: Seventy-five have voted "aye," six have voted "no"; House Bill No. 373 has passed the House.

House Bill No. 298, introduced by Toomey, failed to pass by the following vote:

Ayes: Ahlgreen, Anderson, Ballard, Brennan, Busch, Buttelman, Byrne, Connors, Ecton, Egan, Goodwin, Green (Dawson), Harwood, Haugan, Hedden, Joffray, Kelly, Kruse, Leary, Leavitt, Logan, McCausland, McLaughlin, Masterson, Metlen, Miller (Big Horn), Mitchell, Monahan, Moss, Nutting, O'Connor, Ormsbee, Padbury, Parker, Peterson (Gallatin), Peterson (Valley), Quigley, Sherman, Smith, Toomey, White (Judith Basin), White (Hill), Mr. Speaker. Total 43.

Noes: Acher, Bertsche, Chamberlain, Chapman, Conner, Doe, Emmett, Emmons, Ewing, Foor, Gordon, Gray, Groene (Fergus), Haight, Hall, Hamilton, Hinerman, Kuhl, Lasby, Lemmer, Liggett, Lippard, Lott, Lovell, Man-

ning, Miller (Roosevelt), Minette, Mulholland, Mundy, Neary, Nelson, O'Brien, O'Byrne, Petersen (Sheridan), Ryan, Scofield, Sexton, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Watson, Whaley, Worden, York. Total 46.

Absent and not voting: Balgord, Boone, Burris, Coultas, Cusick, Fowler, Harlen, Heavlin, Holding, Johnson, Kathan, Ritch, Rolph. Total 13.

The Speaker: Forty-three have voted "aye," forty-six have voted "no"; House Bill No. 298 has failed to pass the House.

Senate Bill No. 73, introduced by Committee on Taxation, was not concurred in by the following vote:

Ayes: Anderson, Balgord, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Doe, Ecton, Egan, Foor, Goodwin, Groene (Fergus), Hall, Harwood, Hedden, Hinerman, Kruse, Lovell, Manning, Miller (Roosevelt), Nutting, Padbury, Peterson (Valley), Quigley, Rolph, Scofield, Smith, Stimatz, Toomey, White (Hill), Worden, York, Mr. Speaker. Total 36.

Noes: Acher, Ahlgreen, Bertsche, Boone, Conner, Connors, Cusick, Emmett, Emmons, Ewing, Gordon, Gray, Green (Dawson), Hamilton, Haugan, Joffray, Kelly, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, McCausland, McLaughlin, Masterson, Miller (Big Horn), Mitchell, Monahan, Mulholland, Mundy, Neary, O'Brien, O'Byrne, Parker, Petersen (Sheridan), Peterson (Gallatin), Ryan, Sexton, Sherman, Southmayd, Spiegel, Stromnes, Watson, Whaley, White (Judith Basin). Total 49.

Absent and not voting: Ballard, Coultas, Fowler, Haight, Harlen, Heavlin, Holding, Johnson, Kathan, Metlen, Minette, Moss, Nelson, Ormsbee, Ritch, Stevens. Total 16.

The following passed his vote: Lott.

The Speaker: Thirty-six have voted "aye," forty-nine have voted "no"; Senate Bill No. 79 was not concurred in by the House.

House Bill No. 449, introduced by Leavitt, by request, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hamilton, Harwood, Haugan, Hedden, Hinerman, Joffray, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 86.

Noes: O'Byrne, Stromnes. Total 2.

Absent and not voting: Coultas, Cusick, Fowler, Harlen, Heavlin, Holding, Johnson, Kathan, Manning, Minette, Moss, Nelson, Southmayd. Total 13.

The following passed his vote: Hall.

The Speaker: Eighty-six have voted "aye," two have voted "no"; House Bill No. 449 has passed the House.

House Bill No. 30, introduced by Foor, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Egan, Emmett, Emmons, Foor, Goodwin, Gray, Green (Dawson), Haight, Hall, Hamilton, Harwood, Haugan, Hedden, Hinerman, Johnson, Kelly, Kuhl, Leary, Leavitt, Lemmer, Liggett, Logan, Lott, Lovell, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monohan, Mulholland, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Spiegel, Stevens, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 78.

Noes: Boone, Gordon, Kruse, Lasby, Lippard, Stimatz. Total 6.

Absent and not voting: Coultas, Doe, Ecton, Ewing, Fowler, Groene (Fergus), Harlen, Heavlin, Holding, Joffray, Kathan, Manning, Moss, Mundy, Peterson (Valley), Smith, Southmayd, Stromnes. Total 18.

The Speaker: Seventy-eight have voted "aye," six have voted "no"; House Bill No. 30 has passed the House.

House Bill No. 31, introduced by Foor, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Cusick, Egan, Emmons, Foor, Goodwin, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Haugan, Hedden, Hinerman, Johnson, Kelly, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, Nutting, O'Byrne, O'Connor, Ormsbee, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 74.

Noes: Boone, Gordon, Kruse, Emmett. Total 4.

Absent and not voting: Ballard, Brennan, Burris, Connors, Coultas, Doe, Ecton, Ewing, Fowler, Harlen, Harwood, Heavlin, Holding, Joffray, Kathan, Kuhl, Manning, Moss, Nelson, O'Brien, Padbury, Parker, Rolph, Smith. Total 24.

The Speaker: Seventy-four have voted "aye," four have voted "no"; House Bill No. 31 has passed the House.

House Bill No. 505, introduced by O'Brien, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Foor, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Hall, Haugan, Hedden, Hinerman, Johnson, Kelly, Kruse, Lasby, Leary, Leavitt, Lemmer, Liggett, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Monahan, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 80.

Noes: Ballard, Haight, Hamilton. Total 3.

Absent and not voting: Boone, Brennan, Conner, Coultas, Ewing, Fowler, Harlen, Harwood, Heavlin, Holding, Joffray, Kathan, Kuhl, Lippard, Logan, Mitchell, Moss, Nelson, Rolph. Total 19.

The Speaker: Eighty have voted aye," three have voted "no"; House Bill No. 505 has passed the House.

House Bill No. 284, introduced by Ritch, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Brennan, Burris, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Foor, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Hall, Hamilton, Haugan, Hedden, Hinerman, Johnson, Kelly, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, O'Byrne, O'Connor, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 80.

Noes: Boone, Kruse, Manning. Total 3.

Absent and not voting: Bertsche, Busch, Coultas, Ewing, Fowler, Haight, Harlen, Harwood, Heavlin, Holding, Joffray, Kathan, Logan, Moss, Nutting, O'Brien, Parker, Smith, Whaley. Total 19.

The Speaker: Eighty have voted "aye," three have voted "no"; House Bill No. 284 has passed the House.

House Bill No. 428, introduced by O'Brien, failed to pass by the following vote:

Ayes: Anderson, Brennan, Burris, Busch, Chamberlain, Connors, Emmons, Foor, Goodwin, Gray, Kelly, Lasby, Leavitt, Liggett, McCausland, McLaughlin, Masterson, Metlen, Mitchell, O'Brien, O'Byrne, Ormsbee, Padbury, Quigley, Ryan, Scofield, Sherman, Smith, Spiegel, Stimatz, York, Mr. Speaker. Total 32.

Noes: Acher, Ahlgreen, Balgord, Ballard, Bertsche, Boone, Buttelman, Byrne, Chapman, Conner, Ecton, Egan, Emmett, Gordon, Green (Dawson), Groene (Fergus), Hall, Hamilton, Haugan, Hedden, Hinerman, Joffray, Johnson, Kruse, Kuhl, Lemmer, Lippard, Lott, Lovell, Manning, Miller (Roosevelt), Miller (Big Horn), Minette, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Connor, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Rolph, Sexton, Stevens, Stromnes, Toomey, Watson, White (Judith Basin), White (Hill), Worden. Total 53.

Absent and not voting: Coultas, Cusick, Doe, Ewing, Fowler, Haight, Harlen, Harwood, Heavlin, Holding, Kathan, Leary, Logan, Moss, Ritch, Whaley. Total 16.

The following passed his vote: Southmayd.

The Speaker: Thirty-two have voted "aye," fifty-three have voted "no"; House Bill No. 428 has failed to pass the House.

House Bill No. 292, introduced by the Committee on Appropriations, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harwood, Haugan, Hedden, Johnson, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley,

Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 83.

Noes. Burris. Total 1.

Absent and not voting: Coultas, Doe, Fowler, Groene (Fergus), Harlen, Heavlin, Holding, Hinerman, Joffray, Kathan, Logan, Minette, Monahan, Moss, Ormsbee, Ritch, Rolph, Whaley. Total 18.

The Speaker: Eighty-three have voted "aye," one has voted "no"; House Bill No. 292 has passed the House.

House Bill No. 478, introduced by Gray, Toomey, Metlen and Buttelman, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Busch, Buttelman, Byrne, Conner, Connors, Cusick, Doe, Egan, Emmett, Ewing, Goodwin, Gordon, Gray, Green (Dawson), Hall, Hamilton, Harwood, Hedden, Joffray, Johnson, Kelly, Kruse, Lasby, Leavitt, Liggett, Lippard, Lott, Lovell, McCausland, Masterson, Metlen, Miller (Big Horn), Mulholland, Mundy, Nelson, Nutting, O'Brien, O'Connor, Padbury, Parker, Peterson (Gallatin), Quigley, Ritch, Scofield, Sherman, Smith, Stevens, Stromnes, Toomey, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 58.

Noes: Ballard, Chamberlain, Chapman, Emmons, Foor, Haight, Hagan, Hinerman, Lemmer, Manning, Miller (Roosevelt), Neary, O'Byrne, Petersen (Sheridan), Peterson (Valley), Rolph, Ryan, Sexton, Southmayd, Spiegel, Stimatz, Worden. Total 22.

Absent and not voting: Boone, Brennan, Burris, Coultas, Ecton, Fowler, Groene (Fergus), Harlen, Heavlin, Holding, Kathan, Kuhl, Leary, Logan, McLaughlin, Minette, Mitchell, Monahan, Moss, Ormsbee, Watson, Whaley. Total 22.

The Speaker: Fifty-eight have voted "aye," twenty-two have voted "no"; House Bill No. 478 has passed the House.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that the utility bills grouped on the board for General Orders be made a Special Order of Business at 4:00 o'clock P. M. today.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Printing, to whom were referred House Bills Nos. 511, 114, 82, 432, 333, beg leave to report that the same have this date been returned from the printer correctly printed.

LIPPARD, Vice-Chairman.

Without objection, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 144, by Cusick, was this day recommended for indefinite postponement by the Senate, and bill is herewith returned to the House.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced in the Senate, read first and second times, and referred to committees:

H. J. M. No. 12—Public Lands.
H. J. M. No. 8—Federal Relations.
H. J. M. No. 9—Education.
H. J. R. No. 5—Federal Relations.
H. B. No. 295—Fish and Game.
H. B. No. 320—Compensation.
H. B. No. 472—Counties and Towns.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Ballard of Wibaux in the Chair. Committee arose and reported progress and requested leave to sit again.

House resumed. Speaker Pro Tem in the Chair.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, requests the House for the return of House Bill No. 54 to the Senate for further consideration.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that the request of the Honorable Senate be complied with.

Committee of the Whole resumed. Ballard of Wibaux in the Chair.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration Business on General Orders, recommend the following:

That House Bill No. 375 do pass.
That the enacting clause be stricken from House Bill No. 378.
That Substitute House Bill No. 13 be passed temporarily.
That House Bill No. 376 do pass.
That House Bill No. 443 do pass.

BALLARD, Chairman.

On motion of Ballard, report adopted.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of the Special Order of Business on General Orders, under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Haight of Fergus in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration Special Order of Business on General Orders, recommend the following:

That House Bill No. 386 be passed for the day.

That House Bill No. 384 be amended as follows: Amend Section 1 by inserting in line 6 after the word "company" the words "whose custom and practice is to provide liability insurance policies for motor carriers of the type concerned and which is"; and as amended, do pass.

That House Bill No. 381 do pass.

HAIGHT, Chairman.

It was moved by Haight, duly seconded, that the report be adopted.

On substitute motion, it was moved by Toomey, duly seconded, that House Bill No. 381 be segregated from the report of the Committee of the Whole.

A call of the House was demanded by the required number.

On motion of Burris, call of the House was dispensed with.

A roll call was demanded and the motion was lost by the following vote:

Ayes: Acher, Balgord, Bertsche, Boone, Busch, Buttelman, Byrne, Doe, Ecton, Ewing, Goodwin, Gray, Groene (Fergus), Hall, Harlen, Harwood, Haugan, Joffray, Kelly, Leavitt, Lemmer, Liggett, Logan, McCausland, Metlen, Miller (Big Horn), Minette, Moss, Mundy, Nelson, O'Connor, Padbury, Parker, Peterson (Gallatin), Quigley, Ritch, Scofield, Southmayd, Stevens, Stromnes, Toomey, Watson, White (Judith Basin), White (Hill), Worden. Total 45.

Noes: Ahlgreen, Anderson, Ballard, Brennan, Burris, Chamberlain, Chapman, Conner, Connors, Cusick, Egan, Emmett, Emmons, Foor, Fowler, Gordon, Green (Dawson), Haight, Hamilton, Hedden, Hinerman, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Lippard, Lott, Lovell, McLaughlin, Manning, Masterson, Miller (Roosevelt), Mitchell, Monahan, Mulholland, Neary, Nutting, O'Brien, O'Byrne, Ormsbee, Petersen (Sheridan), Peterson (Valley), Rolph, Ryan, Sexton, Sherman, Smith, Spiegel, Stimatz, Whaley, York, Mr. Speaker. Total 54.

Absent and not voting: Coultas, Heavlin, Holding. Total 3.

The Speaker: Forty-five have voted "aye," fifty-four have voted "no"; the motion was lost.

Whereupon the report of the Committee of the Whole was adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 377, entitled: "An Act appropriating money for the payment of the reward claim of Mrs. J. McNally, as compensation for aiding the State of Montana in the apprehension of the Sheridan, Montana, bank robber by revealing information which led to the conviction," respectfully report as follows:

That House Bill No. 377 be amended as follows: In line 9 of Section 1, the words and figures "Five Hundred Dollars (\$500.00)" be stricken out, and there be inserted in lieu thereof the words and figures "Four Hundred Dollars (\$400.00)"; in lines 15 and 16 of Section 2, the words and figures "Five Hundred Dollars (\$500.00)" be stricken out and there be inserted in lieu thereof the words and figures "Four Hundred Dollars (\$400.00)" and that the bill, as amended, do pass.

FOWLER, Chairman.

On motion of Foor, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 366, entitled: "An Act to enable the State of Montana to protect and conserve the musical instruments and

musical library generously donated by W. A. Clark, Jr., in his lifetime, for the use of the prisoners confined in the State Prison at Deer Lodge; intended to take full advantage of the trust fund created by W. A. Clark, Jr., in his lifetime, for the furnishing, repairing and supplying of musical instruments for the use of prisoners confined in the State Prison, so long as a band shall be maintained; and making appropriation for carrying out the purposes of this Act," respectfully report as follows:

That House Bill No. 366 be amended as follows: That on page 2, Section 4, in line 29, the figures "\$3,500" be stricken out and that there be inserted in lieu thereof the figures "\$1,500.00"; that on page 3, Section 7, in line 14, the figures "3,500.00" be stricken out and that there be inserted in lieu thereof the the figures "\$1,500.00" and that as amended the bill do pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 439, entitled: "An Act to provide the appropriation of \$5,000 to the Registrar of Motor Vehicles for the intent purpose of the printing of the license registration list of motor vehicles in the State of Montana," respectfully report as follows: That House Bill No. 439 do not pass.

FOWLER, Chairman.

On motion of Foor, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 317, entitled: "An Act appropriating money for the payment of the per diem, mileage and incidental expenses of the delegates to the Constitutional Convention," respectfully report as follows:

That House Bill No. 317 do not pass, but that Substitute House Bill No. 317 do pass.

FOWLER, Chairman.

On motion of Foor, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 301, entitled: "An Act to amend Section 4767 of the Revised Codes of Montana of 1921, as amended by Chapter 89 of the Laws of the Eighteenth Legislative Assembly, and as further amended by Chapter 137 of the Laws of the Nineteenth Legislative Assembly, and as further amended by Chapter 134 of the Laws of the Twentieth Legislative Assembly, and as further amended by Chapter 49 of the Twenty-first Legislative Assembly, and as further amended by Chapter 23 of the Extraordinary Session of the Twenty-third Legislative Assembly, relating to the deposit of county, city and town funds," respectfully report as follows: That House Bill No. 301 do not pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 300, entitled: "An Act to amend Section 182 of the Revised Codes of the State of Montana, 1921, as amended by Chapter 85 of the Session Laws of the Eighteenth Legislative Assembly, 1923, and as further amended by Chapter 180 of the Session Laws of the Twenty-first Legislative Assembly, 1929, relating to the depositing of funds in the hands of the State Treasurer; and providing for the security to be delivered by the banks designated as depositories by the State Depository Board," respectfully report as follows: That House Bill No. 300 do not pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 342, entitled: "An Act levying an annual business tax on banks for the privilege of doing business; providing for the administration and enforcement; prescribing penalties for the violation thereof," respectfully report as follows: That House Bill No. 342 do not pass.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 476, entitled: "An Act to amend Sections 1, 4 and 6 of Chapter 104 of the Laws of the Twenty-first Legislative Assembly of the State of Montana, 1929, relative to an Act to regulate the occupation of hairdressers and cosmetologists, create a State Examining Board for the licensing of persons to carry on or teach such practices, to insure the better education of such practitioners, to provide rules regulating the proper conduct and sanitation of hairdressing and cosmetologist establishments and schools, to provide for the removal of members of said board, and to provide penalties for violations of this Act," respectfully report as follows: That House Bill No. 476 do not pass, but that Substitute House Bill No. 476 do pass.

YORK, Chairman.

It was moved by York, duly seconded, that the report be adopted.

On substitute motion, it was moved by Minette, duly seconded and carried, that action on report be postponed until the evening session.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 361, entitled: "An Act to amend Sections 1 and 7, of Chapter 104, of the Session Laws of 1929, relating to an Act to regulate the occupation of hairdressers and cosmetologists, providing rules for the teaching and licensing thereof," respectfully report as follows: That House Bill No. 361 do not pass.

YORK, Chairman.

On motion of York, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bills Nos. 493, 308, 488 and 173.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 190, 517, 392, 249, 506, Substitute House Bill No. 405, beg leave to report that the same have this date been returned from the printer correctly printed.

McCAUSLAND, Chairman.

Without objection, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Leavitt, duly seconded and carried, that the House request the Honorable Senate to return Senate Bill No. 73 for further consideration.

It was moved by Byrne, duly seconded and carried, that House Bills Nos. 386 and 383 be re-referred to the Committee on Appropriations.

It was moved by Byrne, duly seconded and carried, that the House recess until 8:15 o'clock P. M.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 170, 261, 403, 84, 199, 500 and 314, beg leave to report that the same have this date been returned from the printer correctly printed.

McCAUSLAND, Chairman.

Without objection, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Minette, duly seconded and carried, that the report of the Committee on Public Health and Sanitary Affairs on House Bill No. 476 be adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration (the printed bill) House Bill No. 386, entitled: "An Act to amend Sections 1, 2, 3, 16, 18 and 19 of Chapter 184, Laws of 1931, relating to supervision, regulation and control of the use of the public highways of the State of Montana by motor vehicles of persons and property upon the public highways of Montana and adding to said Chapter 184 new and additional sections to be designated and numbered Sections 10.1, 16.1 and 16.2 providing for the licensing of persons and corporations operating motor vehicles for distributing, delivering and collecting wares, merchandise and commodities sold and to be sold by them; providing an additional license tax upon all motor carriers subject to the provisions of this Act, and appropriating the moneys collected to be used in the enforcement of the Act; and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows:

That House Bill No. 386 be amended as follows: The printed bill be amended as follows: In line 22, Section 5, thereof, there be stricken out the word "to" and the word "into" be inserted in lieu thereof and that in line 23 the word "board" be stricken out and the words "motor carrier fund" be inserted in lieu thereof; that Section 16.2 (a) be stricken from the bill and that as amended the bill do pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

It was moved by Leavitt, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of the Special Order of Business on General Orders, under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Minette of Glacier in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration Special Order of Business on General Orders, recommend the following:

That House Bill No. 386 do pass.

That House Bill No. 382 do pass.

That House Bill No. 390 do pass.

That House Bill No. 379 do pass.

That House Bill No. 380 be amended as follows: Amend Section 1, line 1, by inserting before the word "Commission" and after the word "The" the words "Public Service" and as amended do pass.

That in House Bill No. 387 the Clerk be instructed to insert the words "Public Service" before the word "Commission" where such word appears in Section 1 of the bill, and as so amended, do pass.

That House Bill No. 388 do pass.

That House Bill No. 391 be amended as follows: Amend Section 1 in line 7a, after the word "state" by inserting a comma, and in line 8 by inserting a comma after the word "wires" and as amended do pass.

MINETTE, Chairman.

On motion of Minette, report adopted.

It was moved by Moss, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Minette of Glacier in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That House Bill No. 299 be indefinitely postponed.

That the enacting clause be stricken from House Bill No. 240.

That House Bill No. 429 do pass.

That House Bill No. 146 do pass.

That House Bill No. 2 do pass.

That House Bill No. 20 do pass.

That House Bill No. 205 do pass.

That House Bill No. 470 be passed for the day.

That further consideration of House Bill No. 117 be indefinitely postponed.

That Substitute House Bill No. 195 do pass.

That House Bill No. 201 be amended as follows: Amend Section 1 by adding in line 4, after the word "record," the following proviso: "Provided, however, that the provisions of this Act shall apply only after the governing body or council of such city or cities shall have elected by majority vote to adopt the provisions hereof by ordinance and in said ordinance shall have provided the manner of and time at which said municipal court shall be established. Said ordinance shall be consistent with the provisions of this Act," and as amended, do pass.

MINETTE, Chairman.

On motion of Minette, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Boone, duly seconded and carried, that House Bill No. 470 be taken from General Orders and referred to the Committee on Appropriations.

It was moved by Ahlgreen, duly seconded, that the House reconsider its action on House Bill No. 378. Motion was lost.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

House Bill No. 393, introduced by Spiegel, failed to pass by the following vote:

Ayes: Bertsche, Burris, Connors, Egan, Emmons, Goodwin, Mitchell, Monahan, Mulholland, Neary, O'Brien, O'Byrne, O'Connor, Ormsbee, Ritch, Ryan, Southmayd, Spiegel, Stimatz, Stromnes, Mr. Speaker. Total 21.

Noes: Ahlgreen, Anderson, Ballard, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Doe, Ecton, Emmett, Ewing, Foor, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Hedden, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Moss, Mundy, Nelson, Nutting, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Scofield, Sexton, Sherman, Smith, Toomey, Watson, Whaley, White (Hill), Worden, York. Total 67.

Absent and not voting: Acher, Balgord, Boone, Conner, Coultas, Cusick, Fowler, Groene (Fergus), Heavlin, Holding, Masterson, Padbury, Stevens, White (Judith Basin). Total 14.

The Speaker: Twenty-one have voted "aye," sixty-seven have voted "no"; House Bill No. 393 has failed to pass the House.

House Bill No. 493, introduced by Stromnes, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chapman, Connors, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Hall, Hamilton, Harlen, Harwood, Haugan, Hedden, Hinerman, Joffray, Johnson, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Melten, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Stevens, Stimatz, Stromnes, Toomey, Watson, Worden, York, Mr. Speaker. Total 82.

Noes: Ballard, Chamberlain, Holding, Kathan, Spiegel, Whaley, White (Hill). Total 7.

Absent and not voting: Acher, Byrne, Conner, Coultas, Groene (Fergus), Heavlin, Masterson, Minette, Moss, Ormsbee, Rolph, White (Judith Basin). Total 12.

The following passed his vote: Haight.

The Speaker: Eighty-two have voted "aye," seven have voted "no"; House Bill No. 493 has passed the House.

House Bill No. 308, introduced by Padbury, Smith and Toomey, by request, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Brennan, Busch, Buttelman, Byrne, Chamberlain, Cusick, Ecton, Egan, Emmett, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Hedden, Holding, Hinerman, Joffray, Johnson, Kelly, Kruse, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Mulholland, Mundy, Nelson, Nutting, O'Brien, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 77.

Noes: Bertsche, Burris, Connors, Emmons, Lasby, Neary, O'Byrne, Peterson (Gallatin). Total 8.

Absent and not voting: Acher, Boone, Chapman, Conner, Coultas, Doe, Groene (Fergus), Heavlin, Kathan, Kuhl, Manning, Metlen, Monahan, Moss, Ormsbee, Stromnes, White (Judith Basin). Total 17.

The Speaker: Seventy-seven have voted "aye"; eight have voted "no"; House Bill No. 308 has passed the House.

House Bill No. 488, introduced by Harwood, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 93.

Noes: Bertsche. Total 1.

Absent and not voting: Acher, Conner, Coultas, Fowler, Groene (Fergus), Heavlin, Moss, White (Judith Basin). Total 8.

The Speaker: Ninety-three have voted "aye"; one has voted "no"; House Bill No. 488 has passed the House.

House Bill No. 173, introduced by Haight, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Burris, Busch, Buttelman, Chamberlain, Chapman, Connors, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Rosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 92.

Noes: None.

Absent and not voting: Acher, Brennan, Byrne, Conner, Coultas, Groene (Fergus), Heavlin, Ritch, Toomey, White (Judith Basin). Total 10.

The Speaker: Ninety-two have voted "aye"; none have voted "no"; House Bill No. 173 has passed the House.

It was moved by Byrne, duly seconded and carried, that the House adjourn until 9:00 o'clock A. M., Monday, February 25, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FIFTIETH DAY

House of Representatives,
Helena, Montana, February 25, 1935.

House convened, pursuant to adjournment, at 9:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by Chaplain.

A quorum for the transaction of business was present.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the forty-ninth legislative day, find the same to be correct.

QUIGLEY, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following considered correctly engrossed: House Bills Nos. 381, 388, 379, 382, 375, 376, 392, 364, and Substitute House Bill No. 211.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bill No. 390.

EWING, Chairman.

Without objection, report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your majority of the Committee on Public Health and Sanitation, having had under consideration House Bill No. 360, entitled: "An Act amending Section 3122 of the Revised Codes of Montana of 1921, relating to the practice of medicine; defining what Acts shall constitute such practice and providing penalties for the violation of said section," respectfully report as follows: That House Bill No. 360 do not pass.

LASBY,
McCAUSLAND,
LOVELL,
SMITH,
HELDING,
LIPPARD,
PETERSON of Valley,
FOWLER,
YORK.

Mr. Speaker: We, your minority of the Committee on Public Health and Sanitation, having had under consideration House Bill No. 360, entitled: "An Act amending Section 3122 of the Revised Codes of Montana of 1921, relating to the practice of medicine; defining what Acts shall constitute such practice and providing penalties for the violation of said section," respectfully report as follows: That House Bill No. 360 do pass.

SOUTHMAYD,
MINETTE,
PADBURY,
PETERSON of Gallatin,
DOE,
KELLY.

It was moved by Smith, duly seconded, that the majority report be adopted.

On substitute motion, it was moved by Minette, duly seconded, that the report of the minority be adopted.

As a substitute motion for all motions pending, it was moved by Lasby, duly seconded and carried, that further consideration of House Bill No. 360 be indefinitely postponed.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following correctly enrolled: House Bills Nos. 46, 151, 192, 340, 277.

MONAHAN, Chairman.

Without objection, report adopted.

I have read House Bill No. 277, as reported from the Enrolling Committee and certify same to be correct.

JOFFRAY.

I have read House Bill No. 151, as reported from the Enrolling Committee and certify same to be correct.

MANNING.

I have read House Bill No. 46, as reported from the Enrolling Committee and certify same to be correct.

O'CONNOR.

I have read House Bill No. 192, as reported from the Enrolling Committee and certify same to be correct.

CHAMBERLAIN.

I have read House Bill No. 340, as reported from the Enrolling Committee and certify same to be correct.

LEAVITT.

The Speaker announced he was about to sign House Bill No. 277, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 151, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 46 whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 192, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 340, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

It was moved by Byrne, duly seconded and carried, that all bills not printed on General Orders today, shall be considered correctly printed.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Moss of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That House Bill No. 364 be amended as follows: Amend Section 1 in line 80 by striking out the words "conclusively presumed" and inserting in lieu thereof the words "prima facie proof" and as amended do pass.

That House Bill No. 511 do pass.

That House Bill No. 211 do pass.

That House Bill No. 333 do pass.

MOSS, Chairman.

On motion of Moss, report adopted.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

CONSIDERATION OF GENERAL ORDERS

Moss of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That House Bill No. 392 do pass.

That House Bill No. 537 do pass.

That Substitute House Bill No. 317 do pass.

That House Bill No. 538 do pass.

That House Bill No. 535 do pass.

MOSS, Chairman.

On motion of Moss, report adopted.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole, for consideration of General Orders, under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Moss of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That House Bill No. 534 be passed temporarily.

That House Bill No. 536 do pass.

That House Bill No. 522 be passed temporarily.

That House Bill No. 419 be amended as follows: Amend Section 1 by inserting in line 18, after the word "business" the words "nor the producer of a natural gas well or wells"; and as amended, do pass.

That House Bill No. 302 be passed temporarily.

That House Bill No. 497 do pass.

That House Bill No. 420 do pass.

MOSS, Chairman.

It was moved by Moss, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by Groene of Fergus, duly seconded, that House Bill No. 420 be segregated from the report of the Committee of the Whole.

A roll call was ordered and the motion was lost by the following vote:

Ayes: Ahlgreen, Bertsche, Boone, Connors, Coultas, Doe, Ecton, Egan, Emmett, Ewing, Fowler, Groene (Fergus), Harlen, Holding, Joffray, Lasby, Lemmer, Lippard, Lovell, McCausland, Mulholland, Neary, O'Byrne, Pad-

bury, Peterson (Gallatin), Ritch, Scofield, Southmayd, Spiegel, Stevens, Stromnes, White (Judith Basin), Mr. Speaker. Total 33.

Noes: Acher, Anderson, Balgord, Ballard, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Cusick, Emmons, Foor, Goodwin, Gordon, Gray, Green (Dawson), Haight, Hall, Harwood, Haugan, Hedden, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Leary, Leavitt, Liggett, Logan, Lott, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Monahan, Moss, Mundy, Nutting, O'Brien, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Valley), Quigley, Rolph, Ryan, Sexton, Sherman, Smith, Stimatz, Toomey, Watson, Whaley, White (Hill), Worden, York. Total 62.

Absent and not voting: Conner, Hamilton, Heavlin, McLaughlin, Minette, Mitchell, Nelson. Total 7.

The Speaker: Thirty-three have voted "aye"; sixty-two have voted "no"; the motion is lost.

Whereupon the report of the Committee of the Whole was adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended by the Senate, title and history agreed to, and bills are herewith returned to the House for concurrence in the Senate amendments:

H. B. No. 135, by Ryan and Mitchell.

H. B. No. 140, by Committee on Fish and Game.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and bills are herewith returned to the House:

H. B. No. 123, by Haugan.

H. B. No. 262, by Agriculture.

H. B. No. 427, by Watson, Worden, Holding.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence:

S. B. No. 104, by Committee on Public Lands.

S. B. No. 132, by Lamp.

S. B. No. 145, by Holt and Church.

S. B. No. 161, by Campbell.

S. B. No. 164, by Sparling, Wass, Holton and Carroll.

S. B. No. 167, by Oliver, Blankenbaker and Murphy.

S. B. No. 189, by Angvick, et al.

S. J. M. No. 4, by Delaney, Holt and Carey.

S. J. R. No. 7, by Danielsen and MacGilvra.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence:

S. B. No. 58, Hollenback and Cotter.
 S. B. No. 93, Nass and Benjamin.
 S. B. No. 143, Groff.
 S. B. No. 155, Holt.
 S. B. No. 160, Committee on Oil and Leases.
 S. B. No. 170, by Putnam.
 S. B. No. 172, Parkin.
 S. B. No. 181, Garrison.
 S. B. No. 187, MacGilyra, et al.
 S. B. No. 188, Oliver, et al.
 S. B. No. 191, Plank, Sparling, Holton, Kilduff, Angvick.
 S. B. No. 192, Plank, Sparling, Holton, Kilduff, Angvick.
 S. B. No. 197, Parkin.
 S. B. No. 199, Cotter.
 S. B. No. 205, Kalberg.
 S. B. No. 212, Committee on Judiciary.
 S. B. No. 215, Church.
 S. J. M. No. 5, Committee on Fish and Game.
 S. J. R. No. 6, Pauline, Campbell, Delaney and Holt.

Respectfully,

C. J. McALLISTER,
 Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that further messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Printing: Reported S. B. Nos. 174, 88, 193, 203, 151, 213, 134, 165, 182, 133, 152, 29, 217, 208 and 40 correctly printed.

Engrossing: Reported S. B. Nos. 132, 161, 164, 167, 145, 189, 58, 212, 143, 181, 155, 192, 197, 188, S. J. R. No. 6, S. J. M. No. 4 and S. J. R. No. 7 correctly engrossed.

Mines and Mining: Recommended Sub. H. B. No. 255 be concurred in.

Recommended that S. B. No. 200 do not pass, but that in lieu thereof a Senate Resolution to Congress be substituted and that the Senate Resolution do pass.

Labor and Capital: Recommended that H. J. M. No. 11 be concurred in.

Respectfully,

C. J. McALLISTER,
 Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That consideration of S. B. No. 174 be passed for the day.

That S. B. Nos. 88, 151, 213, 165, 182, 133, 217, 208, 202, 218, 169, 138, 186 and Sub. 92 do pass.

That consideration of Sub. S. B. No. 40 be passed for the day.

That S. B. No. 154 be amended in the title by inserting in line 2 after the word "cities" the words, "or towns," and by striking out in line 3 the period after the word "ways", and inserting in lieu thereof a semi-colon and adding the words: "except where negligence is shown."

Be amended in Section 1 by striking out in line 1 all the words after the word "for", all of lines 2 and 3 up to the word, "allowing", and by striking out the period in line 5, and inserting in lieu thereof a semi-colon and adding the words, "except when negligence can be shown on the part of the city or town."

And as amended, do pass.

That consideration of S. B. No. 152 be passed for the day.

That consideration of Sub. S. B. No. 69 be passed for the day.

That consideration of S. B. Nos. 209 and 173 be indefinitely postponed.

That consideration of S. B. No. 123 be passed for the day.

That consideration of S. B. No. 219 be indefinitely postponed.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motions were this day made, duly seconded and ate, read first and second time and referred to committees:

H. B. No. 30, Education.

H. B. No. 31, Education.

H. B. No. 284, State Boards and Offices.

H. B. No. 292, Finance and Claims.

H. B. No. 478, Stockgrowing and Grazing.

H. B. No. 505, Judiciary.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motions were this day made, duly seconded and carried:

That consideration of S. B. Nos. 203, 285, 29, 193, and 134 be passed for the day.

That S. B. No. 73 be returned to the House.

That S. B. No. 47 be recalled from the Comimittee on Constitutional Amendments and ordered printed and placed on General File.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the request of the House for the return of S. B. No. 73 for further consideration was this day, on motion, granted, and bill is herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Engrossing: Reported S. B. Nos. 179, 187, 93, 160, 170, 172, 199, 205 and S. J. M. No. 5 and S. B. No. 215 correctly engrossed.

Printing: Reported S. B. Nos. 159, 219, 123, 138, 186, 202, 92, 69, 209, 173, 218 and 169 correctly printed.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion, House Bill No. 54, after having been returned from the House, was referred to General Orders.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following senators were this day named by the President of the Senate to Act with a like committee from the House to allocate revenue measures;

Sparling, Wass and Simmons.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced in the Senate, read first and second times, and referred to committees:

H. B. No. 14, Labor and Capital.
H. B. No. 220, Judiciary.
H. B. No. 224, Judiciary.
H. B. No. 322, Judiciary.
H. B. No. 323, Judiciary.
H. B. No. 373, Education.
H. B. No. 404, Mines and Mining.
H. B. No. 413, Judiciary.
H. B. No. 448, Fish and Game.
H. B. No. 449, Taxation.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motions were this day made, duly seconded and carried:

As an amendment to the report of the Committee of the Whole, motion was made that S. B. No. 154 be segregated from the report, which motion carried.

Motion that S. B. No. 154 be placed on General File carried.

Motion that the House be requested to return H. B. No. 54 to the Senate, carried.

Motion that H. B. No. 397 be taken from Third Reading and placed on General File, carried.

Motion that H. B. No. 296 be taken from third reading and re-referred to General File, carried.

Motion that H. B. No. 397 be taken from General File and re-referred to the Committee on Stockgrowing and Grazing, carried.

Motion that S. B. No. 13 be placed on General File, carried.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. B. No. 179 do pass.

That consideration of S. B. No. 184 be indefinitely postponed.

That S. B. No. 194 do not pass.

That consideration of S. B. No. 114 be passed for the day.

That consideration of S. B. No. 195 be passed for the day.

That S. B. No. 13 do not pass.

That S. B. No. 154 do not pass.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced in the Senate, read first and second time, and referred to committees:

H. B. No. 394, Compensation.

H. B. No. 226, Compensation.

H. B. No. 331, Taxation.

H. B. No. 344, Public Morals.

H. B. No. 137, Counties and Towns.

H. B. No. 346, Counties and Towns.

H. B. No. 74, Irrigation and Water Rights.

H. B. No. 233, Taxation.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day gave notice that he was about to sign and did sign in open session:

H. B. No. 124.

H. B. No. 181.

H. B. No. 359.

H. B. No. 191.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Rolph, duly seconded and carried, that House Bill No. 302 be taken from General Orders and referred to the Committee on Appropriations.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 383, entitled: "An Act providing for the payment of fees by railroads and public utilities based upon their gross operating revenue and making the Act retroactive so as to cover a fee for the gross revenue produced in 1934," respectfully report as follows: That House Bill No. 383 be amended as follows: "Amend Section 4 of the printed bill, by striking out in line 3 the words 'railroad and,' and in line 5 by inserting, after the word 'shall' the following words: 'to the extent to which said fund shall be adequate,' and in line 6 striking out the words 'railroad or', and insert after the word 'paid' the word 'first'; by adding, after the word 'examiners' in line 8, the following phrase: 'and the

appropriations as set forth in House Bill No. 491 of the Twenty-fourth Legislative Assembly, 1935, for salaries and for operation, under the railroad and public service division, are hereby reduced to the extent of the income derived therefrom; that a new section, to be known as Section 5, be inserted in the said bill to read as follows: "Appropriations herein shall be deemed and held valid notwithstanding the provisions of the Budget Act"; that Sections 5 and 6 of the printed bill be renumbered accordingly; and that the bill, as amended, do pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bills Nos. 2, 384, 387, 380, 391, 429, 443, 218, 386.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following considered correctly engrossed: House Bills Nos. 146, 20.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 458, 420, 414, 536, 535, 282, 538, 534, 537 and Substitute House Bills Nos. 98 and 343, beg leave to report that the same have this date been returned from the printer correctly printed.

McCAUSLAND, Chairman.

Without objection, report adopted.

It was moved by Byrne, duly seconded and carried, that the House recess until 1:15 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

It was moved by Goodwin, duly seconded, that House Bill No. 332 be returned from the Committee on Education, be considered correctly printed and placed on General Orders.

A Call of the House was ordered and the motion was lost by the following vote:

Ayes: Anderson, Ballard, Burris, Byrne, Connors, Egan, Emmett, Emmons, Goodwin, Gray, Heavlin, Kelly, Lasby, Leary, Liggett, McCausland, Manning, Masterson, Minette, Mitchell, Monahan, Mulholland, Neary, O'Brien, O'Byrne, Petersen (Sheridan), Quigley, Rolph, Ryan, Sherman, Spiegel, Stimatz, Whaley, White (Judith Basin). Total 34.

Noes: Acher, Ahlgreen, Balgord, Bertsche, Boone, Brennan, Busch, Buttelman, Chamberlain, Chapman, Conner, Coultas, Cusick, Doe, Ecton, Ewing, Foor, Fowler, Gordon, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Haugan, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kruse, Kuhl, Leavitt, Lemmer, Lippard, Logan, Lott, McLaughlin, Metlen, Miller (Roosevelt), Miller (Big Horn), Moss, Mundy, Nelson, Nutting, O'Connor, Padbury, Parker, Peterson (Gallatin), Peterson (Valley), Ritch, Scofield, Sexton, Smith, Stevens, Stromnes, Toomey, Watson, White (Hill), Worden, York, Mr. Speaker. Total 64.

Absent and not voting: Harwood, Lovell, Ormsbee, Southmayd. Total 4.

The Speaker: Thirty-four have voted "aye"; sixty-four have voted "no"; the motion is lost.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following bill was introduced, read first and second time and referred to the Committee on Appropriations.

House Bill No. 539, introduced by the Committee on Appropriations: A Bill for an Act entitled: "An Act to appropriate money for fire insurance premiums on all state buildings and contents out of any money in the General Fund or any Special Funds enumerated herein."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 539, entitled: "An Act to appropriate money for fire insurance premiums on all state buildings and contents out of any money in the General Fund or any Special Funds enumerated herein," respectfully report as follows: That House Bill No. 539 do pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

It was moved by Fowler, duly seconded and carried, that House Bill No. 539 be considered properly printed.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following considered correctly engrossed: House Bills Nos. 536 and 420.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bill No. 195.

EWING, Chairman.

Without objection, report adopted.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, history and title agreed to, all appropriation measures having been read at length, were disposed of as follows:

House Bill No. 429, introduced by Brennan, was passed by the following vote:

Ayes: Anderson, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Coultas, Doe, Ecton, Egan, Emmett, Emmons, Foor, Goodwin, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Hangan, Heavlin, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, McCausland, McLaughlin, Master-son, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Monahan, Moss, Mundy, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Vailey), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Spiegel, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 80.

Noes: Ahlgreen, Conner, Ewing, Gordon, Gray, Hedden, Joffray, Nelson, Smith, Stevens, Stimatz. Total 11.

Absent and not voting: Acher, Balgord, Cusick, Fowler, Lovell, Manning, Mitchell, Mulholland, Ormsbee, Padbury, Southmayd. Total 11.

The Speaker: Eighty have voted "aye"; eleven have voted "no"; House Bill No. 429 has passed the House.

House Bill No. 391, introduced by the Committee on Public Utilities and State Commissions, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Buttelman, Byrne, Chamberlain, Conner, Connors, Coultas, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Green (Dawson), Haight, Hamilton, Harlen, Harwood, Haugan, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Neary, Nutting, O'Brien, O'Byrne, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Sexton, Sherman, Smith, Spiegel, Stimatz, Toomey, Whaley, White (Judith Basin), Worden, York, Mr. Speaker. Total 80.

Noes: Busch, Groene (Fergus), Hall, Heavlin, Metlen, Minette, Mundy, Nelson, Watson, White (Hill). Total 10.

Absent and not voting: Chapman, Cusick, Gray, Joffray, Lemmer, O'Connor, Ormsbee, Padbury, Scofield, Southmayd, Stevens, Strommes. Total 12.

The Speaker: Eighty have voted "aye"; ten have voted "no"; House Bill No. 391 has passed the House.

House Bill No. 387, introduced by the Committee on Public Utilities and State Commissions, was passed by the following vote.

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Gordon, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Miller (Roosevelt), Mitchell, Monahan, Moss, Mulholland, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Sexton, Sherman, Smith, Spiegel, Stimatz, Strommes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 87.

Noes: Busch, Goodwin, Heavlin, Metlen, Miller (Big Horn), Mundy, Stevens. Total 7.

Absent and not voting: Cusick, Gray, Joffray, Minette, Ormsbee, Padbury, Scofield, Southmayd. Total 8.

The Speaker: Eighty-seven have voted "aye"; seven have voted "no"; House Bill No. 387 has passed the House.

House Bill No. 380, introduced by the Committee on Public Utilities and State Commissions, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Buttelman, Byrne, Chamberlain, Chapman, Conner, Coultas, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan,

Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Mitchell, Monahan, Mulholland, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 86.

Noes: Busch, Doe, Haight, Metlen, Miller (Big Horn), Minette, Mundy, Nelson, Padbury. Total 9.

Absent and not voting: Connors, Cusick, Gray, Miller (Roosevelt), Moss, Rolph, Southmayd. Total 7.

The Speaker: Eighty-six have voted "aye"; nine have voted "no"; House Bill No. 380 has passed the House.

House Bill No. 384, introduced by the Committee on Public Utilities and State Commissions, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Brennan, Burris, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Ecton, Emmett, Emmons, Ewing, Floor, Fowler, Gordon, Gray, Green (Dawson), Hamilton, Harlen, Heavlin, Hinerman, Johnson, Kathan, Lasby, Leary, Leavitt, Lemmer, Lippard, Lott, Lovell, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Minette, Mitchell, Monahan, Moss, Mulholland, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Rolph, Ryan, Sexton, Sherman, Smith, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Whaley, White (Hill), York, Mr. Speaker. Total 71.

Noes: Boone, Busch, Doe, Egan, Groene (Fergus), Haight, Harwood, Haugan, Hedden, Holding, Kelly, Liggett, Logan, McCausland, Mundy, Nelson, Padbury, Parker, Quigley, Watson, White (Judith Basin), Worden. Total 22.

Absent and not voting: Ballard, Joffray, Kruse, Miller (Big Horn), Ritch, Scofield, Southmayd. Total 7.

The following passed their vote: Hall, Kuhl. Total 2.

The Speaker: Seventy-one have voted "aye"; twenty-two have voted "no"; House Bill No. 384 has passed the House.

House Bill No. 2, introduced by Leavitt and Masterson, being a constitutional amendment, and having been read three several times, was passed by the necessary two-thirds vote of the entire membership of the House as required by Section 9 of Article 19 of the State Constitution, and in compliance with the provisions there the bill is set forth in its entirety as follows:

A Bill for an Act entitled: "An Act for the submission to the qualified electors of the State of Montana, an amendment to Section 2, of Article 12, of the Constitution of the State of Montana, relating to the exemption of property from taxation and authorizing the legislature to exempt property used for residential purposes, in an amount of not to exceed \$2500.00 of the value thereof."

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. That Section 2, of Article 12, the Constitution of the State of Montana be amended as is hereinafter provided, and that the question of said amendment be submitted to the qualified electors of the State of Montana at the next general election.

Section 2. That Section 2, of Article 12, of the Constitution of the State of Montana be, and the same is hereby amended to read as follows:

Section 2. The property of the United States, the state, counties, cities, towns, school districts, municipal corporations and public libraries shall be exempt from taxation; and such other property as may be used exclusively for the agricultural and horticultural societies, for educational purposes, places for actual religious worship, hospitals and places of burial not used or held for private or corporate profit, institutions of purely public charity, and evidences of debt secured by mortgages of record upon real and personal property in the State of Montana, may be exempt from taxation and the Legislature of the State of Montana, is hereby authorized to exempt homes actually used and occupied by the owner thereof in a sum not to exceed \$2500.00.

Section 3. This amendment shall be submitted to the qualified electors of the State of Montana by being placed on the official ballot provided by Section 678 of the Revised Codes of Montana of 1921, and as provided by law, and shall be voted on at the general election to be held in November, 1936, and the principal ballot to be used at said election shall have printed thereon the words:

☐ For an amendment to the Constitution relating to the exemption of property from taxation and authorizing the Legislature to exempt homes owned and used for that purpose in a sum of not to exceed \$2500.00.

☐ Against an amendment to the Constitution relating to the exemption of property from taxation and authorizing the Legislature to exempt homes owned and used for that purpose in a sum of not to exceed \$2500.00.

The elector shall designate his preference for either of the propositions by making an "X" before the proposition desired.

Section 4. The votes cast for and against this amendment above proposed, shall be counted, canvassed and determined by such officials, and in such manner as provided by law, and if a majority of all votes cast at such election for and against such amendment shall be in favor of such amendment, the Governor of the State shall so declare by public proclamation, and the amendment shall be in full force and effect as a part of the Constitution from and after the date of such proclamation.

Section 5. This Act shall be in full force and effect from and after its passage and approval.

House Bill No. 2, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Brennan, Burris, Busch, Byrne, Chamberlain, Chapman, Conner, Coultas, Cusick, Doe, Egan, Emmons, Foor, Fowler, Goodwin, Gray, Groene (Fergus), Haight, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Logan, Lovell, McCausland, McLaughlin, Masterson, Miller (Roosevelt), Monahan, Moss, Mulholland, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Sexton, Sherman, Smith, Spiegel, Stevens, Stimatz, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 73.

Noes: Bertsche, Boone, Buttelman, Ecton, Gordon, Green (Dawson), Hall, Lemmer, Liggett, Lippard, Lott, Manning, Metlen, Miller (Big Horn), Mundy, Padbury, Peterson (Gallatin), Scofield, Toomey, Watson. Total 20.

Absent and not voting: Acher, Connors, Emmett, Ewing, Joffray, Minette, Southmayd, Stromnes. Total 8.

The following passed his vote: Mitchell.

The Speaker: Seventy-three have voted "aye"; twenty have voted "no"; House Bill No. 2 has passed the House.

House Bill No. 20, introduced by Leavitt, being a constitutional amendment, and having been read three several times, was passed by the necessary two-thirds vote of the entire membership of the House as required by Section 9 of Article 19 of the State Constitution, and in compliance with the provisions there the bill is set forth in its entirety as follows:

A Bill for an Act entitled: "An Act for the submission to the qualified electors of the State of Montana, an amendment to Section 39 of Article 5 of the Constitution of the State of Montana, relative to the obligations and liabilities held or owned by the state, or any county or municipal corporation therein."

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. That Section 39 of Article 5 of the Constitution of the State of Montana be amended as is hereinafter provided and that the question of said amendment be submitted to the qualified electors of the State of Montana at the next general election.

Section 2. That Section 39 of Article 5 of the Constitution of the State of Montana, be, and the same is hereby amended to read as follows:

Section 39. Except as herein provided, no obligation or liability of any person, association or corporation, held or owned by the state, or any county or municipal corporation therein, shall ever be exchanged, transferred, remitted, released or postponed or in any way diminished by the Legislative Assembly; nor shall such liability or obligation be extinguished except by the payment thereof into the proper treasurer. Legislative Assembly may, by general law, authorize the compromise, and remission of any tax on real property or the penalty or interest thereon or any other lien which became due in or prior to 1934.

Section 3. This amendment shall be submitted to the qualified electors of the State of Montana by being placed on the official ballot provided by Section 678 of the Revised Codes of Montana, 1921, and as provided by law, and shall be voted on at the general election to be held in November, 1936; and the principle ballot to be used at said election shall have printed thereon the words.

"Except as herein provided, no obligation or liability of any person, association or corporation, held or owned by the state, or any county or municipal corporation therein, shall ever be exchanged, transferred, remitted, released or postponed or in any way diminished by the Legislative Assembly; nor shall such liability or obligation be extinguished except by the payment thereof into the proper treasurer. The Legislative Assembly may, by general law, authorize the compromise and remission of any tax on real property or the penalty or interest thereon or any other lien which became due in or prior to 1934."

☐

For the Above Amendment.

☐

Against the Above Amendment.

The elector shall designate his preference for either of the propositions by making an "X" before the proposition desired.

Section 4. The votes cast for and against the amendment above proposed shall be counted, canvassed and determined by such officials and in such manner as provided by law, and if a majority of all votes cast at such election for and against such amendment shall be in favor of such

amendment, the Governor of the State shall declare by public proclamation, and the amendment shall be in full force and effect as a part of the constitution from and after the date of such proclamation.

Section 5. This Act shall be in full force and effect from and after its passage and approval.

House Bill No. 20, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Foor, Fowler, Goodwin, Gordon, Green (Dawson), Groene (Fergus), Haight, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Miller (Roosevelt), Minette, Mitchell, Monahan, Moss, Mulholland, Neary, Nelson, O'Brien, O'Byrne, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 90.

Noes: Gray, Mundy. Total 2.

Absent and not voting: Balgord, Ewing, Joffray, Metlen, Miller (Big Horn), Ormsbee, Rolph, Smith. Total 8.

The following passed their vote: Hall, Nutting. Total 2.

The Speaker: Ninety have voted "aye"; two have voted "no"; House Bill No. 20 has passed the House.

House Bill No. 146, introduced by Haight, failed to pass by the following vote:

Ayes: Balgord, Busch, Buttelman, Byrne, Cusick, Ecton, Gray, Green (Dawson), Haight, Hall, Harwood, Haugan, Johnson, Kruse, Logan, Lott, Miller (Big Horn), Mundy, O'Connor, Padbury, Peterson (Gallatin), Quigley, Scofield, Smith, Stromnes, Watson, White (Hill), Worden. Total 29.

Noes: Acher, Ahlgreen, Anderson, Ballard, Bertsche, Boone, Brennan, Burris, Chamberlain, Chapman, Conner, Connors, Egan, Emmett, Emmons, Fowler, Gordon, Hamilton, Harlen, Heavlin, Hedden, Holding, Hinerman, Joffray, Kathan, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lovell, McCausland, McLaughlin, Manning, Masterson, Miller (Roosevelt), Minette, Mitchell, Monahan, Mulholland, Neary, Nutting, O'Brien, O'Byrne, Ormsbee, Petersen (Sheridan), Peterson (Valley), Ritch, Rolph, Ryan, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Whaley, York, Mr. Speaker. Total 62.

Absent and not voting: Coultas, Doe, Ewing, Foor, Goodwin, Groene (Fergus), Metlen, Moss, Nelson, White (Judith Basin), Total 10.

The following passed his vote: Kelly.

The Speaker: Twenty-nine have voted "aye," sixty-two have voted "no"; House Bill No. 146 has failed to pass the House.

House Bill No. 443, introduced by Minette and others, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Ballard, Bertsche, Boone, Brennan, Byrne, Chamberlain, Connors, Coultas, Doe, Egan, Foor, Goodwin, Gordon, Gray, Groene (Fergus), Haight, Hall, Hamilton, Harlen, Heavlin, Holding, Joffray, Johnson, Kathan, Kelly, Lasby, Leary, Lemmer, Lippard, McCausland, Manning, Metlen, Miller (Roosevelt), Minette, Mitchell, Monahan,

Mundy, Nelson, O'Brien, O'Byrne, O'Connor, Peterson (Gallatin), Quigley, Ritch, Rolph, Scofield, Smith, Southmayd, Stevens, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, Mr. Speaker. Total 59.

Noes: Burris, Busch, Buttelman, Chapman, Ecton, Emmett, Emmons, Fowler, Green (Dawson), Harwood, Haugan, Hedden, Hinerman, Kruse, Kuhl, Leavitt, Liggett, Logan, Lott, Lovell, McLaughlin, Masterson, Mulholland, Nutting, Ormsbee, Parker, Petersen (Sheridan), Peterson (Valley), Ryan, Sexton, Spiegel, Stimatz, York. Total 33.

Absent and not voting: Balgord, Conner, Cusick, Ewing, Miller (Big Horn), Moss, Padbury, Sherman, Stromnes, Neary. Total 10.

The Speaker: Fifty-nine have voted "aye," thirty-three have voted "no"; House Bill No. 443 has passed the House.

House Bill No. 375, introduced by Connors and Goodwin, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Conner, Connors, Coultas, Doe, Ecton, Egan, Emmons, Foor, Goodwin, Gordon, Gray, Green (Dawson), Hall, Hamilton, Harlen, Haugan, Heavlin, Hedden, Holding, Joffray, Kathan, Kruse, Kuhl, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, McCausland, McLaughlin, Manning, Masterson, Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 79.

Noes: Chamberlain, Haight, Hinerman, Johnson, Lasby, Miller (Roosevelt), White (Judith Basin). Total 7.

Absent and not voting: Balgord, Chapman, Cusick, Emmett, Ewing, Fowler, Groene (Fergus), Harwood, Kelly, Lott, Lovell, Metlen, Minette, Padbury, Ritch, Smith, Total 16.

The Speaker: Seventy-nine have voted "aye," seven have voted "no"; House Bill No. 375 has passed the House.

House Bill No. 376, introduced by Kathan and others, was passed by the following vote:

Ayes: Ballard, Bertsche, Boone, Brennan, Burris, Busch, Chamberlain, Chapman, Connors, Coultas, Cusick, Egan, Emmons, Ewing, Foor, Fowler, Gray, Haight, Hamilton, Heavlin, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Leary, Leavitt, Lemmer, Lott, Lovell, McLaughlin, Masterson, Miller (Roosevelt), Mitchell, Monahan, Moss, Mulholland, Neary, Nelson, O'Brien, O'Byrne, Ormsbee, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stimatz, Stromnes, Whaley, York, Mr. Speaker. Total 61.

Noes: Acher, Ahlgreen, Anderson, Balgord, Buttelman, Byrne, Conner, Doe, Ecton, Emmett, Gordon, Green (Dawson), Hall, Haugan, Hedden, Kuhl, Lasby, Liggett, McCausland, Manning, Miller (Big Horn), Mundy, Nutting, O'Connor, Quigley, Smith, Stevens, Toomey, Watson, White (Judith Basin), Worden. Total 31.

Absent and not voting: Goodwin, Groene (Fergus), Harlen, Harwood, Lippard, Logan, Metlen, Minette, Padbury, White (Hill). Total 10.

The Speaker: Sixty-one have voted "aye," thirty-one have voted "no"; House Bill No. 376 has passed the House.

House Bill No. 388, introduced by Committee on Public Utilities and State Commissions, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Buttelman, Byrne, Chamberlain, Chapman, Connors, Coultas, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kruse, Kuhl, Lasby, Lemmer, Liggett, Lippard, Lott, Lovell, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Neary, Nelson, O'Brien, O'Byrne, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 82.

Noes: Acher, Busch, Doe, Leavitt, McCausland, Mundy, Nutting, Smith, Total 8.

Absent and not voting: Conner, Harlen, Harwood, Kelly, Logan, Metlen, Minette, Padbury, Ritch, Scofield, Toomey, White (Judith Basin). Total 12.

The Speaker: Eighty-two have voted "aye," eight have voted "no"; House Bill No. 388 has passed the House.

House Bill No. 382, introduced by Committee on Public Utilities and State Commissions, was passed by the following vote:

Ayes: Acher, Ahlgreen, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Ecton, Egan, Emmett, Emons, Ewing, Foor, Fowler, Gordon, Green (Dawson), Haight, Hamilton, Harlen, Hedden, Holding, Hinerman, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Lippard, Lott, Lovell, McLaughlin, Manning, Masterson, Miller (Roosevelt), Mitchell, Monahan, Moss, Mulholland, Neary, O'Brien, O'Byrne, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Rolph, Ryan, Sexton, Sherman, Smith, Southmayd, Spiegel, Stimatz, Stromnes, Whaley, White (Hill), York, Mr. Speaker. Total 68.

Noes: Anderson, Busch, Buttelman, Doe, Goodwin, Gray, Groene (Fergus), Hall, Harwood, Haugan, Heavlin, Joffray, Kelly, Leavitt, Lemmer, Liggett, McCausland, Miller (Big Horn), Minette, Mundy, Nelson, Quigley, Scofield, Watson, White (Judith Basin), Worden. Total 26.

Absent and not voting: Byrne, Logan, Metlen, Nutting, Padbury, Ritch, Stevens, Toomey. Total 8.

The Speaker: Sixty-eight have voted "aye," twenty-six have voted "no"; House Bill No. 382 has passed the House.

House Bill No. 379, introduced by the Committee on Public Utilities and State Commissions, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Ballard, Bertsche, Boone, Brennan, Burris, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stimatz, Toomey, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 90.

Noes: Busch, Goodwin, Metlen, Mundy, Smith, Stromnes, White (Judith Basin), Total 7.

Absent and not voting: Balgord, Groene (Fergus), Minette, Moss, Stevens. Total 5.

The Speaker: Ninety have voted "aye," seven have voted "no"; House Bill No. 379 has passed the House.

House Bill No. 390, introduced by the Committee on Public Utilities and State Commissions, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Gordon, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Miller (Roosevelt), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ryan, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 87.

Noes: Metlen. Total 1.

Absent and not voting: Acher, Balgord, Goodwin, Gray, Haight, Joffray, Leary, Logan, Miller (Big Horn), Padbury, Parker, Ritch, Rolph, Scofield. Total 14.

The Speaker: Eighty-seven have voted "aye," one has voted "no"; House Bill No. 390 has passed the House.

House Bill No. 381, introduced by Committee on Public Utilities and State Commissions, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Ballard, Brennan, Burris, Chamberlain, Chapman, Connors, Cusick, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Gordon, Green (Dawson), Haight, Hamilton, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Lippard, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Miller (Roosevelt), Minette, Mitchell, Monahan, Mulholland, Neary, Nutting, O'Brien, O'Byrne, Ormsbee, Parker, Petersen (Sheridan), Peterson (Valley), Rolph, Ryan, Sexton, Sherman, Spiegel, Stimatz, Whaley, York, Mr. Speaker. Total 58.

Noes: Acher, Bertsche, Boone, Buttelman, Byrne, Conner, Doe, Ecton, Busch, Goodwin, Groene (Fergus), Hall, Harlen, Harwood, Haugan, Heavlin, Kelly, Leavitt, Lemmer, Liggett, Logan, Metlen, Miller (Big Horn), Moss, Mundy, Nelson, O'Connor, Padbury, Peterson (Gallatin), Quigley, Ritch, Smith, Southmayd, Stromnes, Toomey, Watson, White (Judith Basin), White (Hill), Worden. Total 39.

Absent and not voting: Balgord, Coultas, Gray, Scofield, Stevens. Total 5.

The Speaker: Fifty-eight have voted "aye," thirty-nine have voted "no"; House Bill No. 381 has passed the House.

House Bill No. 218, introduced by Joffray et al, failed by the following vote:

Ayes: Acher, Ballard, Bertsche, Boone, Burris, Buttelman, Byrne, Connors, Doe, Ecton, Egan, Emmett, Emmons, Goodwin, Groene (Fergus), Harlen, Heavlin, Holding, Joffray, Kuhl, Lasby, Leary, Leavitt, Lemmer, Lott, Lovell, Metlen, Minette, Mitchell, Monahan, Mulholland, Mundy,

Neary, Nelson, O'Brien, O'Byrne, O'Connor, Padbury, Peterson (Gallatin), Ritch, Ryan, Sexton, Sherman, Southmayd, Spiegel, Stromnes, Whaley, White (Judith Basin), Mr. Speaker. Total 49.

Noes: Ahlgreen, Anderson, Balgord, Brennan, Busch, Chamberlain, Chapman, Conner, Coultas, Cusick, Foor, Fowler, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harwood, Haugan, Hedden, Hinerman, Johnson, Kathan, Kelly, Kruse, Liggett, Lippard, Logan, McCausland, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Moss, Nutting, Ormsbee, Parker, Petersen (Sheridan), Peterson (Valley), Quigley, Rolph, Scofield, Smith, Stimatz, Watson, White (Hill), Worden, York. Total 50.

Absent and not voting: Ewing. Total 1.

Paired: Stevens and Toomey.

The Speaker: Forty-nine have voted "aye," fifty have voted "no"; House Bill No. 218 has failed to pass the House.

Substitute House Bill No. 195, introduced by Stevens, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chapman, Connors, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Hinerman, Johnson, Kathan, Kelly, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McLaughlin, Manning, Masterson, Metlen, Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Toomey, Watson, White (Hill), Worden, York, Mr. Speaker. Total 84.

Noes: Chamberlain, Coultas, Holding, Mundy, Stimatz. Total 5.

Absent and not voting: Conner, Gray, Joffray, Kruse, Leary, Logan, McCausland, Miller (Roosevelt), Padbury, Rolph, Stromnes, Whaley, White (Judith Basin). Total 13.

The Speaker: Eighty-four have voted "aye," five have voted "no"; Substitute House Bill No. 195 has passed the House.

House Bill No. 420, introduced by the Committee on Revenue and Taxation, was passed by the following vote:

Ayes: Acher, Anderson, Balgord, Ballard, Buttelman, Byrne, Chamberlain, Chapman, Conner, Cusick, Foor, Gray, Green (Dawson), Haight, Hall, Hamilton, Haugan, Hedden, Hinerman, Johnson, Kelly, Kruse, Kuhl, Leavitt, Liggett, Logan, Lott, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Moss, Nelson, O'Connor, Ormsbee, Petersen (Sheridan), Peterson (Valley), Quigley, Sherman, Watson, White (Judith Basin), White (Hill), York. Total 44.

Noes: Ahlgreen, Bertsche, Boone, Brennan, Burris, Connors, Coultas, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Fowler, Gordon, Groene (Fergus), Harlen, Holding, Kathan, Lasby, Lemmer, Lippard, Lovell, McCausland, McLaughlin, Minette, Mitchell, Monahan, Mulholland, Neary, Nutting, O'Brien, Padbury, Peterson (Gallatin), Ritch, Rolph, Ryan, Scofield, Southmayd, Spiegel, Stimatz, Worden, Mr. Speaker. Total 43.

Absent and not voting: Busch, Goodwin, Harwood, Heavlin, Joffray, Leary, Mundy, O'Byrne, Parker, Sexton, Smith, Stevens, Stromnes, Toomey, Whaley. Total 15.

The Speaker: Forty-four have voted "aye," forty-three have voted "no"; House Bill No. 420 has passed the House.

MOTIONS AND RESOLUTIONS

It was moved by McCausland, duly seconded, that the House reconsider its action on House Bill No. 218.

A call of the House was demanded by the required number.

On motion of Stromnes, further call of the House dispensed with.

A roll call was ordered and the motion was carried by the following vote:

Ayes: Acher, Ahlgreen, Ballard, Bertsche, Boone, Burris, Busch, Buttelman, Byrne, Connors, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Goodwin, Groene (Fergus), Harlen, Heavlin, Holding, Joffray, Kuhl, Lasby, Leary, Leavitt, Lemmer, Lott, Lovell, McCausland, Metlen, Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, O'Brien, O'Byrne, O'Connor, Padbury, Peterson (Gallatin), Ritch, Ryan, Sexton, Sherman, Southmayd, Spiegel, Stimat, Stromnes, Toomey, Whaley, White (Judith Basin), Mr. Speaker. Total 55.

Noes: Anderson, Balgord, Brennan, Chamberlain, Chapman, Connor, Coultas, Cusick, Foor, Fowler, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harwood, Haugan, Hedden, Hinerman, Johnson, Kathan, Kelly, Kruse, Liggett, Logan, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Moss, Nutting, Ormsbee, Parker, Petersen (Sheridan), Peterson (Valley), Quigley, Rolph, Scofield, Smith, Stevens, Watson, White (Hill), Worden, York. Total 46.

The following passed his vote: Lippard.

The Speaker: Fifty-five have voted "aye," forty-six have voted "no"; the motion is carried.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 302, entitled: "An Act to amend Sections 1 and 16 of Chapter 166 of the Montana Session Laws of 1933 relating to amount of license tax of corporations and providing for the distribution thereof," respectfully report as follows: That House Bill No. 302 be amended as follows: By striking therefrom all of Section 2; and that the bill, as amended, do pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, history and title agreed to, all appropriations measures having been read at length, were disposed of as follows:

House Bill No. 536, introduced by the Committee on Appropriations, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Green (Dawson), Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Kathan, Kelly, Kruse, Kuhl, Leary, Lemmer, Liggett, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Byrne, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimat, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 83.

Noes: Groene (Fergus), Joffray, Lasby, Leavitt, Lippard, Miller (Big Horn), O'Connor, Sexton, Stromnes, Worden. Total 10.

Absent and not voting: Byrne, Doe, Gray, Haight, Johnson, Minette, Moss, O'Brien, Rolph. Total 9.

The Speaker: Eighty-three have voted "aye," ten have voted "no"; House Bill No. 536 has passed the House.

Substitute House Bill No. 317, introduced by the Appropriations Committee, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Buttelman, Chamberlain, Chapman, Connors, Ecton, Egan, Emmons, Foor, Goodwin, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harwood, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Lasby, Leary, Lemmer, Liggett, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Minette, Mitchell, Monahan, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, Ormsbee, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Whaley, White (Hill), York. Mr. Speaker. Total 81.

Noes: Emmett, Gordon, Haight, Haugan, Kuhl, Lippard, O'Connor, Padbury, Sexton, Smith, Toomey, Watson, Worden. Total 13.

Absent and not voting: Busch, Byrne, Conner, Coultas, Cusick, Doe, Ewing, Fowler, Gray, Harlen, Joffray, Leavitt, Miller (Big Horn), Moss, Mulholland, Rolph, Stromnes. Total 17.

The following passed his vote: White (Judith Basin). Total 1.

The Speaker: Eighty-one have voted "aye," thirteen have voted "no"; Substitute House Bill No. 317 has passed the House.

House Bill No. 333, introduced by Foor, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Brennan, Burris, Buttelman, Byrne, Chamberlain, Connors, Coultas, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Gordon, Gray, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harlen, Harwood, Haugan, Hedden, Hinerman, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Lemmer, Liggett, Lippard, Lovell, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Monahan, Mulholland, Mundy, Nutting, O'Byrne, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 74.

Noes: Goodwin, Haight, Heavlin, Mitchell, Neary, Nelson, O'Brien, Ryan, Smith. Total 9.

Absent and not voting: Ballard, Boone, Busch, Chapman, Conner, Doe, Fowler, Holding, Joffray, Kelly, Leavitt, Logan, Lott, Manning, Moss, Ormsbee, Ritch, Rolph, Stromnes. Total 19.

The Speaker: Seventy-four have voted "aye," nine have voted "no"; House Bill No. 333 has passed the House.

House Bill No. 386, introduced by the Committee on Public Utilities and State Commissions, failed to pass by the following vote:

Ayes: Ahlgreen, Anderson, Ballard, Brennan, Burris, Chamberlain, Chapman, Connors, Coultas, Cusick, Egan, Emmons, Foor, Fowler, Hamilton, Haugan, Holding, Hinerman, Kathan, Kruse, Lasby, Leary, Leavitt,

Lott, McLaughlin, Masterson, Miller (Roosevelt), Minette, Mitchell, Moss, Mulholland, Neary, Nutting, O'Brien, O'Byrne, Ormsbee, Peterson (Valley), Quigley, Ritch, Ryan, Sherman, Smith, Spiegel, Stimatz, Toomey, Whaley, Mr. Speaker. Total 46.

Noes: Acher, Bertsche, Boone, Buttelman, Conner, Doe, Ecton, Emmett, Ewing, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Harlen, Heavlin, Hedden, Joffray, Johnson, Kelly, Kuhl, Lemmer, Liggett, Lippard, Lovell, McCausland, Manning, Metlen, Miller (Big Horn), Monahan, Mundy, Nelson, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Scofield, Sexton, Southmayd, Stevens, Stromnes, Watson, White (Judith Basin), White (Hill), Worden, York. Total 49.

Absent and not voting: Balgord, Busch, Byrne, Harwood, Logan, Rolph. Total 6.

The Speaker: Forty-six have voted "aye," forty-nine have voted "no"; House Bill No. 386 has failed to pass the House.

Substitute House Bill No. 211, introduced by the Committee on Appropriations, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Ballard, Bertsche, Boone, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Cusick, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Hamilton, Harwood, Haugan, Hedden, Holding, Hinerman, Joffray, Johnson, Kelly, Kruse, Lasby, Leary, Leavitt, Lemmer, Liggett, Lott, Lovell, McCausland, Manning, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Valley), Ritch, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Whaley, White (Hill), Mr. Speaker. Total 72.

Noes: Coultas, Doe, Haight, Hall, Kathan, Lippard, McLaughlin, Metlen, O'Brien, Padbury, Peterson (Gallatin), Stromnes, Watson, Worden. Total 14.

Absent and not voting: Acher, Balgord, Brennan, Conner, Ecton, Harlen, Heavlin, Kuhl, Logan, Masterson, Nutting, O'Byrne, Quigley, Rolph, White (Judith Basin), York. Total 16.

The Speaker: Seventy-two have voted "aye," fourteen have voted "no"; Substitute House Bill No. 211 has passed the House.

House Bill No. 364, introduced by Ormsbee, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Brennan, Burris, Byrne, Chamberlain, Chapman, Connors, Egan, Emmett, Emmons, Foor, Goodwin, Gordon, Gray, Green (Dawson), Haight, Hinerman, Joffray, Kathan, Kelly, Kruse, Kuhl, Lippard, McCausland, Masterson, Miller (Roosevelt), Monahan, Moss, Mulholland, O'Byrne, Ormsbee, Petersen (Sheridan), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Whaley, White (Hill), York, Mr. Speaker. Total 52.

Noes: Balgord, Bertsche, Boone, Busch, Buttelman, Conner, Coultas, Doe, Ecton, Ewing, Groene (Fergus), Hall, Harwood, Haugan, Heavlin, Hedden, Holding, Lasby, Leavitt, Lemmer, Liggett, Lott, Lovell, McLaughlin, Miller (Big Horn), Minette, Mitchell, Mundy, Neary, Nelson, Nutting, O'Brien, O'Connor, Padbury, Parker, Peterson (Gallatin), Watson, White (Judith Basin), Worden. Total 39.

Absent and not voting: Acher, Ballard, Cusick, Fowler, Hamilton, Harlen, Johnson, Leary, Logan, Manning, Metlen. Total 11.

The Speaker: Fifty-two have voted "aye," thirty-nine have voted "no"; House Bill No. 364 has passed the House.

House Bill No. 392, introduced by Chapman and others, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Foor, Fowler, Goodwin, Groene (Fergus), Hamilton, Harlen, Harwood, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Leary, Leavitt, Liggett, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mulholland, Mundy, Ormsbee, Parker, Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Sexton, Sherman, Smith, Spiegel, Stevens, Whaley, White (Hill), York, Mr. Speaker. Total 67.

Noes: Ewing, Gordon, Gray, Green (Dawson), Haight, Hall, Haugan, Kuhl, Lasby, Lemmer, Lippard, Minette, Mitchell, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Padbury, Petersen (Sheridan), Peterson (Galatin), Southmayd, Stimatz, Stromnes, Toomey, Watson, Worden. Total 28.

Absent and not voting: Joffray, Logan, Monahan, Moss, Scofield, White (Judith Basin). Total 6.

The following passed his vote: Lott. Total 1.

The Speaker: Sixty-seven have voted "aye," twenty-eight have voted "no"; House Bill No. 392 has passed the House.

It was moved by Byrne, duly seconded and carried, that further Third Reading be passed temporarily.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole, for consideration of General Orders under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Moss of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That the enacting clause be stricken from House Bill No. 534.

That the enacting clause be stricken from House Bill No. 302.

That House Bill No. 303 be amended as follows: Amend Section 1 by inserting in line 3b, after the word "from," the word "intrastate" and by striking in line 3c, after the word "business" the words "within this state including" and after the word "messages" the words "in this state" and inserting in line 3c after the word "business" the word "on"; amend by striking out the word "Acts" and inserting in lieu thereof the word "Laws" in line 2 of the title, in line 1, Section 1 and in line 1, Section 2; and as amended, do pass.

That the enacting clause be stricken from House Bill No. 500.

That House Bill No. 289 do pass.

That House Bill No. 152 be passed temporarily.

MOSS, Chairman.

On motion of Moss, report adopted.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole, for consideration of General Orders, under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Moss of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That House Bill No. 152 do pass.

That House Bill No. 517 be amended as follows: Amend Section 3 after the word "control" in line 3 the word "board"; amend by adding a new section to be known as Section 7 reading as follows: "Section 7. The State Examiner is hereby required strictly to examine and audit said conservation revolving fund and the fiscal operations of said Water Conservation Board at least once in each year, and report fully thereon, said report to be filed in the office of the Secretary of State where the same shall be open to public inspection," and to renumber present Section 7 to become Section 8, and as amended, do pass.

That House Bill No. 26 do pass.

MOSS, Chairman.

On motion of Moss, report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills as correctly engrossed: House Bills Nos. 419, 201, 490, 497, 205, 343, 377, 532, 491.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 337, 335, 487, 197, Substitute House Bills Nos. 424, 211 and 95, beg leave to report that the same have this day been returned from the printer correctly printed.

McCAUSLAND, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 497, 412, 508, 302, 507, 247, 348, 293, and Substitute House Joint Resolution No. 8, beg leave to report that the same have this date been returned from the printer correctly printed.

McCAUSLAND, Chairman.

Without objection, report adopted.

It was moved by Byrne, duly seconded and carried, that the House recess until 7:15 o'clock P. M.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 507, entitled: "An Act to establish a state hospital to be known as the 'Montana State Infantile Paralysis Sanitarium' in some suitable location in the State of Montana for the treatment of infantile paralysis, prescribing rules and regulations for the same, and making appropriations therefor," respectfully report as follows: That House Bill No. 507 do not pass.

FOWLER, Chairman.

It was moved by Fowler, duly seconded, that the report be adopted.

On substitute motion, it was moved by Ahlgreen, duly seconded and carried, that House Bill No. 507 be considered correctly printed and placed on General Orders.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 508, entitled: "An Act to authorize the construction of a building or buildings for the Montana State Infantile Paralysis Sanitarium; to provide for the issuance of revenue bonds for the payment thereof; to provide that such bonds shall not constitute or be a debt, liability or obligation of the state but shall be secured only by the rents or income of the buildings; to provide for the registration of such bonds; to provide for trust indentures and trustee for said bonds; to provide for the creation of a sinking fund and to define its purpose; to empower the State Board of Examiners to enter into all contracts and agreements necessary or incidental to the execution of its powers under this Act; to provide remedies of bondholders; and declaring an emergency," respectfully report as follows: That House Bill No. 508 do not pass.

FOWLER, Chairman.

It was moved by Fowler, duly seconded, that the report be adopted.

On substitute motion, it was moved by Ahlgreen, duly seconded and carried, that House Bill No. 508 be placed on General Orders.

MOTIONS AND RESOLUTIONS

It was moved by White of Judith Basin, duly seconded, that the House reconsider its action on House Bill No. 420.

On motion of Burris, the previous question was seconded and carried. A call of the House was demanded by the required number.

On motion of Burris, call of the House dispensed with.

Whereupon motion by White of Judith Basin, to reconsider action on House Bill No. 420 was carried.

It was moved by Monahan, duly seconded, that the House reconsider its action on House Bill No. 386.

On motion of Burris, the previous question was seconded and carried. Whereupon, motion by Monahan, was put and lost.

It was moved by Byrne, duly seconded and carried, that House Bill No. 511 be considered correctly engrossed.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, history and title agreed to, all appropriation measures having been read at length, were disposed of as follows:

House Bill No. 511, introduced by the Committee on Ways and Means, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Foor, Fowler, Goodwin, Gordon, Green (Dawson), Groene (Fergus), Haight, Hall, Harien, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Liggett, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield,

Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Toomey, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 87.

Noes: Brennan, Lippard, Stimatz, Stromnes. Total 4.

Absent and not voting: Burris, Ewing, Gray, Hamilton, Joffray, Johnson, Kathan, Lemmer, Mitchell, Moss, White (Judith Basin), Total 11.

The Speaker: Eighty-seven have voted "aye," four have voted "no"; House Bill No. 511 has passed the House.

House Bill No. 535, introduced by the Appropriations Committee was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Hall, Hamilton, Harlen, Harwood, Haugan, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Logan, Lott, Lovell, McLaughlin, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Mundy, Nelson, Nutting, O'Brien, O'Byrne, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 84.

Noes: Groene (Fergus), Lippard, McCausland, O'Connor, Rolph, Scofield, Stromnes, Worden. Total 8.

Absent and not voting: Byrne, Ewing, Haight, Heavlin, Joffray, Manning, Masterson, Moss, Neary, Ormsbee. Total 10.

The Speaker: Eighty-four have voted "aye," eight have voted "no"; House Bill No. 535 has passed the House.

House Bill No. 537, introduced by the Committee on Appropriations, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Egan, Emmett, Emmons, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Lasby, Leavitt, Lemmer, Liggett, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Monahan, Mulholland, Mundy, Nelson, Nutting, O'Brien, O'Byrne, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 84.

Noes: Haight, Lippard, O'Connor, Stimatz. Total 4.

Absent and not voting: Acher, Balgord, Byrne, Ecton, Ewing, Harlen, Kuhl, Leary, Mitchell, Moss, Neary, Ormsbee, Ritch, Stevens. Total 14.

The Speaker: Eighty-four have voted "aye," four have voted "no"; House Bill No. 537 has passed the House.

House Bill No. 538, introduced by the Committee on Appropriations, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Connors, Coul-

tas, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Green (Dawson), Hall, Hamilton, Harlen, Harwood, Haugan, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Logan, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 87.

Noes: Doe, Lippard, O'Connor, Stromnes. Total 4.

Absent and not voting: Byrne, Conner, Fowler, Gray, Groene (Fergus), Haight, Heavlin, Lott, Rolph, Smith, Stevens. Total 11.

The Speaker: Eighty-seven have voted "aye," four have voted "no"; House Bil No. 538 has passed the House.

House Bill No. 218, introduced by Joffray et al, was passed by the following vote:

Ayes: Acher, Ahlgreen, Ballard, Bertsche, Boone, Burris, Buttelman, Byrne, Connors, Doe, Ecton, Egan, Emmett, Emmons, Goodwin, Groene (Fergus), Harlen, Heavlin, Holding, Joffray, Kuhl, Lasby, Leary, Leavitt, Lott, Lovell, McCausland, Metlen, Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, O'Brien, O'Byrne, O'Connor, Padbury, Peterson (Gallatin), Ritch, Ryan, Sexton, Sherman, Southmayd, Spiegel, Stromnes, Toomey, Whaley, White (Judith Basin), Mr. Speaker. Total 52.

Noes: Anderson, Balgord, Brennan, Busch, Chamberlain, Chapman, Conner, Coultas, Cusick, Foor, Fowler, Gordon, Green (Dawson), Haight, Hall, Hamilton, Harwood, Haugan, Hedden, Hinerman, Johnson, Kathan, Kelly, Kruse, Liggett, Logan, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Moss, Nutting, Ormsbee, Parker, Petersen (Sheridan), Peterson (Valley), Quigley, Rolph, Scofield, Smith, Stimatz, Watson, White (Hill), Worden, York. Total 46.

Absent and not voting: Ewing, Gray, Lippard, Stevens. Total 4.

The Speaker: Fifty-two have voted "aye," forty-six have voted "no"; House Bill No. 218 has passed the House.

House Bill No. 497, introduced by the Revenue and Taxation Committee was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Coultas, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Gordon, Green (Dawson), Groene (Fergus), Haight, Hall, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Kathan, Kelly, Kruse, Lasby, Leary, Leavitt, Lemmer, Liggett, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Miller (Big Horn), Mitchell, Mundy, Neary, Nutting, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Scofield, Sexton, Sherman, Smith, Stromnes, Toomey, Whaley, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 71.

Noes: O'Byrne, Ryan, Southmayd, Spiegel, Stimatz, Watson, Worden. Total 7.

Absent and not voting: Boone, Burris, Conner, Doe, Fowler, Goodwin, Gray, Hamilton, Joffray, Johnson, Kuhl, Lippard, Metlen, Miller (Roosevelt), Minette, Monahan, Moss, Mulholland, Nelson, O'Brien, Quigley, Ritch, Rolph, Stevens. Total 24.

The Speaker: Seventy-one have voted "aye," seven have voted "no"; House Bill No. 497 has passed the House.

House Bill No. 205, introduced by Fowler, being a constitutional amendment, and having been read three several times, was passed by the necessary two-thirds vote of the entire membership of the House as required by Section 9 of Article 19 of the State Constitution, and in compliance with the provisions thereof the bill is set forth in its entirety as follows:

A Bill for an Act entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to the Constitution of the State of Montana by adding a new article thereto, relating to the recall of all elective public officers; providing the procedure for such recall and for the election of the successors to such offices.

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. That the Constitution of the State of Montana be amended as hereinafter provided and that the question of such amendment be submitted to the qualified electors of the State of Montana, for their approval or rejection, at the general election to be held in November, 1936.

Section 2. That the Constitution of the State of Montana be and the same is hereby amended by adding thereto a new article to be known and designated as Article XXIII and to read as follows:

"ARTICLE XXIII

RECALL OF OFFICERS

Section 1. All elective public officers of the State of Montana or any political subdivision thereof may be removed from office at any time by the electors entitled to vote for such office, by the procedure herein provided, which procedure shall be known as the "recall" and shall be in addition to any other method of removal provided by law.

Section 2. All state officers of the State of Montana, elected from the state at large, all United States Senators and Representatives in Congress, all Justices of the Supreme Court and District Judges, and all State Senators and Representatives shall be subject to recall in the manner herein provided. All other elective public officers chosen from any political subdivision of the State of Montana shall likewise be subject to recall under such procedure not inconsistent with the general provisions of this article, as shall hereafter be provided by the Legislative Assembly.

Section 3. A recall petition or petitions signed by electors entitled to vote for a successor of the officer sought to be removed, equal to not less than twenty-five per cent (25%) of the entire vote cast at the last preceding election for all candidates for the office in question, demanding the recall of any elective public officer and the election of a successor to the office shall be filed with the County Clerk and Recorder of each county in which any such petition is circulated. In the case of officers elected from the state at large, such petitions shall be circulated in not less than ten (10) counties of the state and shall be signed by electors in each of said ten (10) counties equal in number to not less than one per cent (1%) of the entire vote cast at the last preceding election for all candidates for the office in question. All such petitions shall be addressed to the Secretary of State and shall contain a general statement of the grounds on which removal of the officer is sought, which statement shall be deemed to be solely for the information of the electors and its sufficiency shall not be subject to review.

Section 4. Recall petitions may be presented in sections, but each section shall contain a complete copy of the petition. Only qualified electors of the county in which such petition is circulated, as shown by the last registration list of the voters of said county, and who are authorized

to vote for the office in question, shall be eligible to sign such petition. Each signer shall add to his name his place of residence and street address, if any, and the number of his election precinct. Any qualified elector of the state shall be competent to solicit such signatures within the county or city of which he is an elector. There shall be attached to each petition and to each section thereof the affidavit of the solicitor circulating the same, setting forth his qualifications and that each and every signature appearing in said petition is the genuine signature of the person whose name it purports to be and that the same was signed to said petition in the presence of the affiant. Such affidavit shall be sufficient to establish prima facie the genuineness of the petition and of the signatures appearing thereon.

Section 5. Recall petitions may be filed in different counties on different dates, but the complete petition, including all sections thereof circulated in any county, shall be filed with the County Clerk and Recorder of that county at the same time. After the filing of said petition no additions thereto or withdrawal therefrom shall be permitted, save and except that any time within ten (10) days after the filing of said recall petition with the County Clerk, supplemental recall petitions, identical in form and containing the same affidavit as the original petition, may be filed with said County Clerk.

Section 6. Upon the filing with him of a recall petition, or any supplement thereto, the County Clerk and Recorder shall examine the signatures thereon and shall determine from the registration records in his office, what number of qualified electors have signed the same. Within twenty (20) days after the filing of such petition the County Clerk and Recorder shall make a certificate showing the number of qualified electors whom he believes to have signed said petition and supplement, if any, and also certifying to the whole number of votes cast in his county at the last preceding election for all candidates for the office in question. Within twenty (20) days after receiving any recall petition, the County Clerk and Recorder shall transmit the same, including any supplement thereto, together with his certificate to the Secretary of State, retaining a copy of said certificate in his own office.

Section 7. Whenever the Secretary of State shall have received from the County Clerks of the number of counties specified in this article, recall petitions signed by the requisite number of qualified electors designated in this article, as disclosed by the certificates of said County Clerks, he shall forthwith submit said petition to the Governor together with his certificate as to its sufficiency. The Governor shall thereupon issue a call for an election upon the recall of said officer and the election of his successor. Such election shall be held not less than forty (40) nor more than sixty (60) days from the date of the certificate of the Secretary of State, unless a general election shall fall within said designated period of sixty (60) days, in which event the recall election must be held as a part of said general election.

Section 8. Elections held under the terms of this article shall be noticed, called and conducted and the results thereof canvassed and declared in the manner now provided by the laws of Montana for the calling and holding of general state elections. The eligibility of electors to vote at any recall election shall be determined as in the case of other elections, provided, however, that only duly registered and qualified electors of the county as disclosed by the last registration list of said county, and who are entitled to vote for the office in question, shall be eligible to vote at such elections.

Section 9. Special ballots to be used at recall elections shall be prepared by the respective County Clerks in the manner provided by the laws of Montana for the preparation of election ballots and shall contain appropriate instructions to the voters for marking said ballot. There shall be printed on the recall ballot in not more than two hundred (200) words,

the reasons assigned in the petition for the recall of said officer, the same to be formulated by the Attorney General of the state and to express said charges as briefly and clearly as possible; also, if desired by the officer, there shall be printed on said ballot a statement to be prepared by the officer in not more than three hundred (300) words, setting forth a justification of his official conduct. There shall be printed on the recall ballot as to every officer whose recall is to be voted on thereat, the following question, "Shall (name of person against whom the recall petition is filed) be recalled from the office of (title of the office)?" following which question shall be the words "yes" and "no" on separate lines, with a blank space at the left of each, in which the voter shall indicate by marking with an "X," his vote for or against said recall. On the ballot under the recall questions, there shall also be printed the names of the candidates who have been nominated to the office subject to the recall election, and to the left of each name a square to be used by the voter in marking his ballot. The voter shall mark his ballot with an "X" in the square opposite the name for which he desires to vote, but no vote cast for any candidate shall be counted unless the elector casting the same shall have voted in the affirmative on the question of recall. The name of the person against whom the petition is filed shall not appear on the ballot as a candidate for the office. If a majority of those voting on said question of the recall of any incumbent from office shall vote "no," said incumbent shall continue in said office. If a majority shall vote "yes," said incumbent shall thereupon be deemed removed from such office, upon the qualification of his successor. The canvassers shall canvass all votes for candidates for said office and declare the result in like manner as in a regular election. If the vote at any such recall election shall be sufficient to remove the officer, then the candidate who has received the highest number of votes for the office shall be thereby declared elected for the remainder of the term. In case the person who received the highest number of votes shall fail to qualify within ten (10) days after receiving the certificate of election, the office shall be deemed vacant and shall be filled according to law.

Section 10. A petition shall be deemed to be filed with the Secretary of State upon the date of the receipt by him of a certificate or certificates showing the said petition to be signed by the requisite number of electors of the state.

Section 11. No recall petition shall be circulated or filed against any officer until he has held his office for at least six (6) months, except members of the State Legislature against whom such a petition may be filed at any time within five (5) days from the convening of any session of the Legislative Assembly.

Section 12. If the officer whose removal is sought at any recall election is not removed, he shall be repaid from the State Treasury such amount not in excess of the expenditures to which candidates for public office are or may hereafter be limited by the laws of Montana, as has been legally expended by him on account of said election, and no proceedings for another recall of said incumbent shall be initiated within six (6) months after such election. The Legislative Assembly shall make the necessary appropriations to carry out the provisions of this section.

Section 13. If the officer sought to be recalled shall resign at any time after the filing of the petition and before the holding of the recall election or if the office shall for any other reason become vacant during said time, the recall election shall be held and the vacancy shall be temporarily filled as provided by law and the appointee shall hold office only until the person elected at the recall election shall qualify for said office.

Section 14. If the Governor, or Attorney General, is sought to be removed under the provisions of this article, the duties herein imposed upon him shall be performed by the Lieutenant-Governor; and if the Sec-

retary of State is sought to be removed, the duties herein imposed upon him shall be performed by the State Auditor.

Section 15. In the submission to the electors of any petition proposed under this article, all officers shall be guided by the general laws of the state, except as otherwise herein provided.

Section 16. This article is self-executing, but legislation may be enacted to facilitate its operation, but in no way limiting or restricting the provisions of this article or the powers herein reserved."

Section 3. Separate official ballots shall be provided at the general election to be held in November, 1936, which shall have printed thereon the following: "Official ballot to be voted upon for the approval or rejection of an Act to amend the Constitution of the State of Montana by adding a new article Number XXIII authorizing the recall of all elective public officers and providing the procedure for such recall and for the election of the successors to such officers." There shall also be printed on said official ballots, below the said article, squares and the words as follows:

☐

For the foregoing amendment to the Constitution.

☐

Against the foregoing amendment to the Constitution.

Each elector who approves this amendment shall mark an "X" in the first square above printed, and each elector who rejects it shall mark an "X" in the second square.

Section 4. The votes cast for and against this proposed amendment shall be canvassed, determined and declared as provided by the laws of the State of Montana.

Section 5. All Acts and parts of Acts in conflict with the provisions of this Act are hereby repealed.

Section 6. This Act shall take effect and be in full force and effect from and after its passage and approval.

House Bill No. 205 was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Ballard, Bertsche, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Leary, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mundy, Neary, Nelson, Nutting, O'Byrne, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Scofield, Sexton, Sherman, Southmayd, Stimatz, Stromnes, Toomey, Whaley, White (Hill), York, Mr. Speaker. Total 83.

Noes: Lasby, Mulholland, Padbury, Ritch, Ryan, Smith, Spiegel, Watson, Worden. Total 9.

Absent and not voting: Balgord, Boone, Doe, Gray, Joffray, Leavitt, Metlen, O'Brien, Stevens, White (Judith Basin). Total 10.

The Speaker: Eighty-three have voted "aye," nine have voted "no"; House Bill No. 205 has passed the House.

House Bill No. 201, introduced by Stromnes, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Busch, Buttelman, Chapman, Coultas, Cusick, Ecton, Egan, Emmett, Emmons, Goodwin, Gordon, Green (Dawson), Groene (Fergus), Haight, Hall, Harlen, Harwood, Haugan, Heavlin, Heddin, Holding, Kelly, Kruse, Kuhl, Leary, Lemmer, Lippard, Logan, Lott, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mundy, Neary, Nelson, Nutting, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Ryan, Scofield, Sexton, Sherman, Stimatz, Toomey, Watson, White (Hill), Worden, York, Mr. Speaker. Total 68.

Noes: Boone, Burris, Chamberlain, Conner, Connors, Foor, Hamilton, Hinerman, Kathan, Lasby, Lovell, Mulholland, Ritch, Rolph, Smith, Spiegel, Whaley, White (Judith Basin). Total 18.

Absent and not voting: Byrne, Doe, Ewing, Fowler, Gray, Joffray, Johnson, Leavitt, Liggett, Manning, Minette, O'Brien, O'Byrne, Peterson (Valley), Southmayd, Stevens. Total 16.

The Speaker: Sixty-eight have voted "aye," eighteen have voted "no"; House Bill No. 201 has passed the House.

House Bill No. 419, introduced by the Committee on Revenue and Taxation, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Byrne, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 88.

Noes: Busch, Harwood, Padbury, Ritch, Stimatz, Stromnes. Total 6.

Absent and not voting: Burris, Goodwin, Logan, McLaughlin, Minette, O'Brien, Quigley, Stevens. Total 8.

The Speaker: Eighty-eight have voted "aye," six have voted "no"; House Bill No. 419 has passed the House.

House Bill No. 420, introduced by the Committee on Revenue and Taxation, failed by the following vote:

Ayes: Acher, Anderson, Balgord, Ballard, Buttelman, Byrne, Chamberlain, Chapman, Conner, Cusick, Emmett, Foor, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Hedden, Hinerman, Johnson, Kelly, Kruse, Kuhl, Leavitt, Liggett, Lott, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Moss, Mundy, Nelson, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Valley), Quigley, Rolph, Sexton, Sherman, Stimatz, Watson, Whaley, White (Hill). Total 48.

Noes: Ahlgreen, Bertsche, Boone, Brennan, Busch, Connors, Coultas, Doe, Ecton, Egan, Emmons, Ewing, Fowler, Goodwin, Groene (Fergus), Harlen, Harwood, Haugan, Heavlin, Holding, Joffray, Kathan, Lasby, Leary, Lemmer, Lippard, Logan, Lovell, McCausland, McLaughlin, Minette, Mitchell, Monahan, Mulholland, Neary, Nutting, O'Brien, O'Byrne, Padbury, Peterson (Gallatin), Ritch, Ryan, Scofield, Smith, Southmayd, Spiegel, Stromnes, Toomey, Worden, York, Mr. Speaker. Total 51.

Absent and not voting: Burris, Stevens, White (Judith Basin). Total 3.

The Speaker: Forty-eight have voted "aye," fifty-one have voted "no"; House Bill No. 420 has failed to pass the House.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Moss of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration Business on General Orders, recommend the following:

That Substitute House Bill No. 522 do pass.

That House Bill No. 260 do pass.

That Substitute House Bill No. 424 do pass.

That the enacting clause be stricken from House Bill No. 357.

That Substitute House Bill No. 343 do pass.

MOSS, Chairman.

On motion of Moss, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that House Bills Nos. 522, 260, 424 and 323 be considered correctly engrossed and placed on Third Reading.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Moss of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration Business on General Orders, recommend the following:

That House Bill No. 377 do pass.

That House Bill No. 84 do pass.

That the enacting clause be stricken from Substitute House Bill No. 98.

That House Bill No. 170 do pass.

That House Bill No. 442 be indefinitely postponed.

That House Bill No. 197 be amended as follows: Amend Section 4, line 2, by inserting the words "and Fifty Cents" after the word "Dollars" and changing the figures in the brackets thereafter to read (\$2.50) instead of "(\$2.00)"; amend Section 5 by adding at the end of Sub-section 5 the following: "Provided that such judgment so entered by the said clerk shall be in full force and effect, when it shall have been approved, by the judge in such court," and as amended, do pass.

MOSS, Chairman.

On motion of Moss, report adopted.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Leavitt of Custer in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration Business on General Orders, recommend the following:

That House Bill No. 293 do pass.

That House Bill No. 539 do pass.

LEAVITT, Chairman.

On motion of Leavitt, report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following considered correctly engrossed: House Bills Nos. 26 and 289.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 366, 419, 442, 539, 377, 475 and Substitute House Bills 476, 522 and 317, beg leave to report that the same have this date been returned from the printer correctly printed.

McCAUSLAND, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bills Nos. 303, 537, 535, 536, 537, 538, 333, 539, 293, 517, 152 and Substitute House Bill No. 317.

EWING, Chairman.

Without objection, report adopted.

It was moved by Byrne, duly seconded and carried, that House Bills Nos. 84, 377, 170, 293, 539, 517, and 152 be considered properly engrossed for Third Reading.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, history and title agreed to, all appropriation measures having been read at length, were disposed of as follows:

House Bill No. 289, introduced by Leavitt, was passed by the following vote:

Ayes: Ahlgreen, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Egan, Emmons, Foor, Goodwin, Groene (Fergus), Haight, Heavlin, Holding, Joffray, Lasby, Leary, Leavitt, Lemmer, Logan, Lovell, Metlen, Mitchell, Monahan, Mulholland, Mundy, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Peterson (Gallatin), Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Spiegel, Stromnes, Toomey, Mr. Speaker. Total 46.

Noes: Acher, Anderson, Balgord, Ballard, Chamberlain, Chapman, Conner, Connors, Coultas, Fowler, Gordon, Green (Dawson), Hall, Hamilton, Harlen, Haugan, Hedden, Hinerman, Johnson, Kathan, Kelly, Kuhl, Liggett, Lippard, Lott, McCausland, McLaughlin, Miller (Roosevelt), Miller (Big Horn), Neary, Petersen (Sheridan), Peterson (Valley), Quigley, Smith, Southmayd, Stevens, Stimatz, Watson, Whaley, White (Hill), Worden, York. Total 42.

Absent and not voting: Cusick, Doe, Ecton, Emmett, Ewing, Gray, Harwood, Kruse, Manning, Masterson, Minette, Moss, Parker, White (Judith Basin). Total 14.

The Speaker: Forty-six have voted "aye," forty-two have voted "no"; House Bill No. 289 has passed the House.

House Bill No. 26, introduced by Haight, being a Constitutional amendment, having failed to receive a two-thirds vote of all the members elected to the House, did not pass, as shown by the following vote:

Ayes: Acher, Anderson, Balgord, Bertsche, Brennan, Burris, Busch, Buttelman, Byrne, Conner, Coultas, Doe, Ecton, Egan, Emmons, Goodwin, Gordon, Groene (Fergus), Haight, Hamilton, Harlen, Haugan, Heavlin, Hedden, Joffray, Kelly, Kruse, Leavitt, Lemmer, Liggett, Lippard, Logan, Lovell, McCausland, McLaughlin, Metlen, Miller (Big Horn), Minette, Monahan, Mundy, Nelson, O'Connor, Ormsbee, Padbury, Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Sherman, Smith, Stimatz, Toomey, Watson, Worden, York, Mr. Speaker. Total 58.

Noes: Ahlgreen, Ballard, Boone, Chamberlain, Chapman, Connors, Cusick, Foor, Green (Dawson), Hall, Holding, Hinerman, Johnson, Kathan, Kuhl, Lasby, Leary, Manning, Masterson, Miller (Roosevelt), Mitchell, Mulholland, Neary, Nutting, O'Brien, O'Byrne, Parker, Petersen (Sheridan), Rolph, Ryan, Scofield, Sexton, Southmayd, Spiegel, Stevens, Whaley, White (Hill). Total 37.

Absent and not voting: Emmett, Fowler, Gray, Harwood, Lott, Moss, White (Judith Basin). Total 7.

The Speaker: Fifty-eight have voted "aye"; thirty-seven have voted "no"; House Bill No. 26, not having a two-thirds vote, has failed to pass the House.

Substitute House Bill No. 522, introduced by the Committee on Revenue and Taxation, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Boone, Brennan, Buttelman, Byrne, Chamberlain, Coultas, Cusick, Emmett, Foor, Gordon, Gray, Green (Dawson), Haight, Hamilton, Heavlin, Hedden, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Lemmer, Liggett, Lippard, Logan, Lovell, McCausland, Manning, Masterson, Metlen, Miller (Roosevelt), Minette, Mitchell, Monahan, Nutting, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, York, Mr. Speaker. Total 64.

Noes: Burris, Busch, Connors, Doe, Ecton, Egan, Emmons, Goodwin, Groene (Fergus), Hall, Haugan, Holding, McLaughlin, Miller (Big Horn), Mulholland, Mundy, Neary, Nelson, O'Brien, O'Byrne, O'Connor, Padbury, White (Hill), Worden. Total 24.

Absent and not voting: Ballard, Chapman, Conner, Ewing, Fowler, Harlen, Harwood, Joffray, Leavitt, Lott, Moss, Ormsbee, Southmayd, White (Judith Basin). Total 14.

The Speaker: Sixty-four have voted "aye"; Twenty-four have voted "no"; Sub House Bill No. 522 has passed the House.

House Bill No. 260, introduced by the Committee on Dairying, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Ballard, Brennan, Burris, Buttelman, Byrne, Chamberlain, Chapman, Connors, Cusick, Ecton, Egan, Emmons,

Foor, Goodwin, Gordon, Green (Dawson), Haugan, Hedden, Johnson, Lovell, McCausland, Manning, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Neary, Nelson, Nutting, O'Brien, O'Byrne, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Ryan, Sexton, Sherman, Smith, Spiegel, Stimatz, Toomey, Watson, Whaley, Worden, York, Mr. Speaker. Total 51.

Noes: Acher, Bertsche, Boone, Busch, Conner, Coultas, Emmett, Gray, Groene (Fergus), Haight, Hall, Hamilton, Heavlin, Holding, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, McLaughlin, Masterson, Mundy, O'Connor, Padbury, Parker, Ritch, Scofield, Stevens, Stromnes. Total 33.

Absent and not voting: Balgord, Doe, Ewing, Fowler, Harlen, Harlen, Harwood, Hinerman, Joffray, Kathan, Logan, Lott, Moss, Ormsbee, Quigley, Rolph, Southmayd, White (Judith Basin), White (Hill). Total 18.

The Speaker: Fifty-one have voted "aye"; thirty-three have voted "no"; House B.11 No. 260 has passed the House.

House Bill No. 424, introduced by Anderson, York and Peterson (Sheridan), was passed by the following vote:

Ayes: Ahlgreen, Anderson, Ballard, Bertsche, Boone, Brennan, Buttelman, Byrne, Chamberlain, Chapman, Cusick, Doe, Ecton, Egan, Foor, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harwood, Haugan, Hedden, Hinerman, Johnson, Kathan, Kelly, Kuhl, Lasby, Lemmer, Liggett, McCausland, McLaughlin, Manning, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mulholland, Mundy, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Scofield, Southmayd, Stevens, Stromnes, Toomey, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 65.

Noes: Busch, Emmons, Heavlin, Holding, Lovell, Masterson, Mitchell, Neary, Ryan, Sexton, Smith, Stimatz. Total 12.

Absent and not voting: Acher, Balgord, Burris, Conner, Connors, Coultas, Emmett, Ewing, Fowler, Goodwin, Harlen, Joffray, Kruse, Leary, Leavitt, Lippard, Logan Lott, Monahan, Moss, Parker, Rolph, Sherman, Spiegel, White (Judith Basin). Total 25.

The Speaker: Sixty-five have voted "aye"; twelve have voted "no"; House Bill No. 424 has passed the House.

Substitute House Bill No. 343, introduced by the Committee on State Boards and Officers, was passed by the following vote:

Ayes: Ahlgreen, Bertsche, Boone, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Emmons, Foor, Fowler, Goodwin, Gray, Hamilton, Harwood, Heavlin, Hedden, Holding, Hinerman, Kathan, Lasby, Lemmer, Logan, Lott, McCausland, McLaughlin, Manning, Metlen, Miller (Roosevelt), Minette, Mitchell, Monahan, Mulholland, Neary, Nelson, Nutting, O'Brien, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Whaley, White (Hill), York, Mr. Speaker. Total 59.

Noes: Byrne, Doe, Ecton, Emmett, Gordon, Green (Dawson), Groene (Fergus), Haight, Hall, Harlen, Haugan, Johnson, Kelly, Kruse, Kuhl, Miller (Big Horn), Mundy, O'Connor, Padbury, Scofield, Smith, Watson, Worden. Total 23.

Absent and not voting: Acher, Anderson, Balgord, Ballard, Brennan, Egan, Ewing, Joffray, Leary, Leavitt, Liggett, Lippard, Lovell, Masterson, Moss, O'Byrne, Ormsbee, Parker, Rolph, White (Judith Basin). Total 20.

The Speaker: Fifty-nine have voted "aye"; twenty-three have voted "no"; Substitute House Bill No. 343 has passed the House.

House Bill No. 303, introduced by the Committee on Revenue and Taxation, was passed by the following vote:

Ayes: Acher, Anderson, Balgord, Ballard, Bertsche, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Emmett, Emmons, Ewing, Foor, Gordon, Gray, Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lott, Love, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Connor, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 83.

Noes: Green (Dawson), Padbury. Total 2.

Absent and not voting: Ahlgreen, Boone, Egan, Fowler, Goodwin, Leary, Lippard, Logan, Manning, Minette, Monahan, Moss, O'Byrne, Ormsbee, Smith, Toomey, White (Judith Basin). Total 17.

The Speaker: Eighty-three have voted "aye"; two have voted "no"; House Bill No. 303 has passed the House.

House Bill No. 84, introduced by Leavitt and Moss, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Ballard, Bertsche, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Egan, Emmett, Foor, Fowler, Goodwin, Gordon, Hall, Harlen, Harwood, Haugan, Hedden, Kathan, Kelly, Kruse, Kuhl, Lemmer, Liggett, Logan, McCausland, Masterson, Metlen, Miller (Roosevelt), Minette, Monahan, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Sexton, Smith, Stevens, Stimatz, Stromnes, Toomey, Watson, York, Mr. Speaker. Total 59.

Noes: Balgord, Emmons, Ewing, Gray, Green (Dawson), Haight, Heavlin, Holding, Hinerman, Joffray, Johnson, Lasby, Lovell, Manning, Miller (Big Horn), Mulholland, Mundy, Neary, Peterson (Valley), Ryan, Scofield, Sherman, Spiegel. Total 23.

Absent and not voting: Boone, Brennan, Doe, Ecton, Groene (Fergus), Hamilton, Leary, Leavitt, Lippard, Lott, McLaughlin, Mitchell, Moss, Ritch, Rolph, Southmayd, Whaley, White (Judith Basin), White (Hill), Worden. Total 20.

The Speaker: Fifty-nine have voted "aye"; twenty-three have voted "no"; House Bill No. 84 has passed the House.

House Bill No. 377, introduced by Goodwin and Lott, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Coultas, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Green (Dawson), Haight, Hall, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Logan, Lott, McCausland, Miller (Roosevelt), Minette, Mitchell, Monahan, Mundy, Neary, Nutting, O'Brien, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Scofield, Sherman,

Smith, Spiegel, Stevens, Stimatz, Watson, Whaley, York, Mr. Speaker. Total 69.

Noes: Lovell, Nelson, O'Connor, Ryan, Sexton, White (Hill), Worden. Total 7.

Absent and not voting: Ballard, Byrne, Conner, Connors, Cusick, Doe, Gordon, Gray, Groene (Fergus), Hamilton, Hinerman, Leary, Lippard, McLaughlin, Manning, Masterson, Metlen, Miller (Big Horn), Moss, Mulholland, O'Byrne, Ritch, Southmayd, Stromnes, Toomey, White (Judith Basin). Total 26.

The Speaker: Sixty-nine have voted "aye"; seven have voted "no"; House Bill No. 377 has passed the House.

House Bill No. 170, introduced by Minette and Moss, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Busch, Buttelman, Byrne, Coultas, Ecton, Egan, Ewing, Foor, Gray, Harlen, Harwood, Haugan, Heavlin, Hedden, Joffray, Kelly, Kruse, Leary, Logan, Lott, McCausland, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Monahan, Moss, Mundy, Nelson, Nutting, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Smith, Southmayd, Stevens, Toomey, Watson, York, Mr. Speaker. Total 46.

Noes: Balgord, Ballard, Brennan, Burris, Chamberlain, Chapman, Connors, Cusick, Doe, Emmett, Emmons, Fowler, Goodwin, Green (Dawson), Groene (Fergus), Haight, Hall, Hinerman, Johnson, Kathan, Kuhl, Lasby, Lemmer, Liggett, Lovell, McLaughlin, Masterson, Mulholland, Neary, O'Brien, O'Byrne, Ormsbee, Peterson (Valley), Ritch, Ryan, Scofield, Sexton, Sherman, Spiegel, Stimatz, Stromnes, Whaley, White (Hill), Worden. Total 44.

Absent and not voting: Bertsche, Boone, Conner, Gordon, Hamilton, Holding, Leavitt, Lippard, Manning, Mitchell, Rolph, White (Judith Basin). Total 12.

The Speaker: Forty-six have voted "aye," forty-four have voted "no"; House Bill No. 170 has passed the House.

House Bill No. 293, introduced by Committee on Military Affairs, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Burris, Busch, Buttelman, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Foor, Fowler, Goodwin, Gray, Groene (Fergus), Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Liggett, Logan, McCausland, McLaughlin, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Moss, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Ritch, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 79.

Noes: Green (Dawson), Lovell, Ryan. Total 3.

Absent and not voting: Brennan, Byrne, Chamberlain, Ewing, Gordon, Haight, Leary, Leavitt, Lemmer, Lippard, Lott, Manning, Metlen, Minette, Monahan, Mulholland, Ormsbee, Peterson (Valley), Rolph, White (Judith Basin). Total 20.

The Speaker: Seventy-nine have voted "aye"; three have voted "no"; House Bill No. 293 has passed the House.

House Bill No. 539, introduced by Committee on Appropriations, was passed by the following vote:

Ayes: Ahigreen, Anderson, Ballard, Bertsche, Brennan, Burris, Busch, Butteiman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmons, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Hamilton, Harlen, Harwood, Haugan, Hedden, Hinerman, Johnson, Kathan, Kelly, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lovell, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Nelson, Nutting, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, White (Hill), Worden, York, Mr. Speaker. Total 78.

Noes: Ewing, Hall, Holding, Mundy, Neary. Total 5.

Absent and not voting: Acher, Balgord, Boone, Emmett, Groene (Fergus), Haight, Heavlin, Joffray, Kruse, Kuhl, Leary, Lott, Manning, Minette, Moss, O'Brien, Rolph, Whaley, White (Judith Basin). Total 19.

The Speaker: Seventy-eight have voted "aye"; five have voted "no"; House Bill No. 539 has passed the House.

House Bill No. 517, introduced by Committee on Water Conservation and Flood Control, was passed by the following vote:

Ayes: Acher, Ahlgreen, Balgord, Ballard, Bertsche, Boone, Burris, Busch, Buttelman, Chamberlain, Chapman, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gray, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Kathan, Kruse, Lasby, Leavitt, Lemmer, Liggett, Logan, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Stevens, Stimatz, Toomey, Watson, Whaley, White (Hill), York, Mr. Speaker. Total 78.

Noes: Anderson, Gordon, Green (Dawson), Groene (Fergus), Haight, Hall, Johnson, Kelly, Worden. Total 9.

Absent and not voting: Brennan, Byrne, Conner, Fowler, Kuhl, Leary, Lippard, Lott, Monahan, Moss, Nelson, Southmayd, Spiegel, Stromnes, White (Judith Basin). Total 15.

The Speaker: Seventy-eight have voted "aye"; nine have voted "no"; House Bill No. 517 has passed the House.

House Bill No. 152, introduced by Committee on Water Conservation and Flood Control, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Foor, Fowler, Goodwin, Gordon, Green (Dawson), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kruse, Kuhl, Lasby, Lemmer, Liggett, Logan, Lott, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel,

Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 84.

Noes: Kelly, Nelson. Total 2.

Absent and not voting: Acher, Boone, Conner, Ewing, Gray, Groene (Fergus), Joffray, Leary, Leavitt, Lippard, Lovell, Minette, Moss, Mundy, Southmayd, White (Judith Basin). Total 16.

The Speaker: Eighty-four have voted "aye"; two have voted "no"; House Bill No. 152 has passed the House.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Leavitt of Custer in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That Substitute House Bill No. 28 do pass.

That the enacting clause be stricken from House Bill No. 412.

LEAVITT, Chairman.

On motion of Leavitt, report adopted.

It was moved by Byrne, duly seconded and carried, that Substitute House Bill No. 28 be considered properly engrossed and placed on Third Reading.

THIRD READING OF HOUSE BILLS

Substitute House Bill No. 28, introduced by Committee on Labor, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Ahlgreen, Balgord, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Foor, Fowler, Goodwin, Gordon, Gray, Groene (Fergus), Hall, Harlen, Harwood, Haugan, Hedden, Hinerman, Kathan, Kuhl, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ryan, Scofield, Southmayd, Spiegel, Stimatz, Watson, White (Hill), York, Mr. Speaker. Total 74.

Noes: Coultas, Green (Dawson), Haight, Johnson, Lasby, Anderson. Total 6.

Absent and not voting: Acher, Ballard, Byrne, Ewing, Hamilton, Heavin, Joffray, Kelly, Kruse, Mulholland, Padbury, Ritch, Rolph, Sexton, Sherman, Smith, Stevens, Stromnes, Toomey, Whaley, White (Judith Basin), Worden. Total 22.

The Speaker: Seventy-four have voted "aye"; six have voted "no"; Substitute House Bill No. 28 has passed the House.

It was moved by Byrne, duly seconded and carried, that the House adjourn until 2:00 o'clock P. M., Tuesday, February 26th, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FIFTY-FIRST DAY

House of Representatives,
Helena, Montana, February 26th, 1935.

House convened, pursuant to adjournment, at 2:00 o'clock P. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

A quorum for the transaction of business was present.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the fiftieth legislative day, find the same to be correct.

QUIGLEY, Chairman.

Without objection, report adopted.

COMMUNICATIONS AND PETITIONS

A letter purported to be from a tired legislator, addressed to a constituent was read and it was moved by Minette, duly seconded and carried, that 500 copies of the same be printed.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR
AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence:

S. B. No. 179, by Kelsey.

S. B. No. 208, by Campbell, Larson and O'Day.

S. B. No. 151, by Garrison, Holt and Sparling.

S. B. No. 218, by Anderson and Plank.

S. B. No. 152, by Holt.

S. B. No. 174, by Carroll.

S. B. No. 134, by Meyer.

S. B. No. 193, by Holt.

Substitute for S. B. No. 69, by Hollenback, Holt and Oliver.

S. B. No. 175, by Kilduff and Holt.

S. B. No. 220, by Holt and Oliver.

S. B. No. 165, by Coburn.

S. B. No. 148, by Baker.

S. B. No. 217, by Cotter, Hollenback and Garrison.

S. B. No. 133, by Meyer.

S. J. R. No. 8, by Holt.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence:

S. B. No. 88, by Meyer.

Sub. S. B. No. 92, by Committee on Counties and Towns.

S. B. No. 213, by Garrison.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Substitute for Senate Substitute for House Bill No. 3

was this day read three several times and concurred in, title and history agreed to, and bill is herewith returned to the House.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that S. B. No. 182 was this day read three several times and passed, title and history agreed to, and is herewith transmitted to the House for concurrence.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion, duly made, seconded and carried this day, the Senate ordered the return to the House of House Bills Nos. 490, 491 and 532 for engrossment, and that no appropriation bills be received by the Senate from the House unless properly engrossed.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motion was this day made, duly seconded and carried:

"Mr. President: I move that the Secretary be instructed to receive bills from the House of Representatives this day up to and including 12:00 o'clock midnight only, and no later. (Signed) PARKIN."

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, declined to receive Substitute House Bill No. 28, and the said bill is herewith returned to the House.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by O'Byrne, duly seconded and carried, that consideration of Senate Bill No. 22 be passed for the day.

House recessed for thirty minutes.

House resumed. Mr. Speaker in the Chair.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following were introduced, read first and second time, all appropriation measures having been read at length, and referred to committees:

S. B. No. 155, introduced by Holt: A Bill for an Act entitled: "An Act to permit the State of Montana and the counties of such state to cooperate with the State Water Conservation Board in the construction of water conservation projects within the State of Montana, and to permit the inclusion in such projects of state lands, school lands, and lands owned by counties,

and subjecting such lands to certain obligations." Referred to Committee on Water Conservation and Flood Control.

S. B. No. 160, introduced by Committee on Oil and Leases: A Bill for an Act entitled: "An Act to amend Section 2, Chapter 18, of the Extraordinary Session Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933-1934, to remove the limitation on the period of time during which the Oil Conservation Board of the State of Montana shall be in existence." Referred to Committee on State Boards and Officers.

S. B. No. 170, introduced by Putnam: A Bill for an Act entitled: "An Act authorizing County Commissioners to deed county lands to the state for state park purposes." Referred to Townships and Counties Committee.

S. B. No. 88, introduced by Meyer: A Bill for an Act entitled: "An Act to amend Section 4592 of the Revised Codes of Montana of 1921, as amended by Section 3 of Chapter 133, of the Session Laws of the Twenty-first Legislative Assembly relating to rural improvement districts and providing for the maintenance and preservation of improvements within such improvement districts, by contract or otherwise, in such way or manner as the Board of County Commissioners shall deem suitable and proper." Referred to Committee on Townships and Counties.

Sub. S. B. No. 92, introduced by Committee on Counties and Towns: A Bill for an Act entitled: "An Act to amend Section 4874 of the Revised Codes of Montana of 1921, as amended by Chapter 82 Session Acts of the Eighteenth Legislative Assembly of 1923, and to repeal Sections 4873, 4875, 4877, 4878, 4880, 4881, 4882 and 4883 of the Revised Codes of Montana of 1921, relating to the authority of County Commissioners to fix the number and compensation of deputies and assistants to county officers." Referred to Committee on Townships and Counties.

S. B. No. 213, introduced by Garrison: A Bill for an Act entitled: "An Act making the State Treasurer custodian for any moneys which the Treasurer of the United States under the Taylor Grazing Act, approved June 28, 1934, (Public No. 482) may pay to State of Montana, and making it the State Treasurer's duty to apportion and allocate these moneys to the County Treasurer to allocate and pay to the grazing districts from which they were originally collected, to be used for construction of range improvements and maintenance." Referred to Committee on State Boards and Officers.

S. B. No. 182, introduced by Garrison, Plank, Sparling and Holt: A Bill for an Act entitled: "An Act providing for the acquisition, purchase, construction, reconstruction, improvement, betterment, extension, operation, and maintenance of revenue-producing undertakings by any city and town, however organized; authorizing and regulating the issuance of revenue bonds for financing such undertakings; and providing for the payment of such bonds and the rights of holders thereof." Referred to Committee on Affairs of Cities.

S. B. No. 25, introduced by Shannon: A Bill for an Act entitled: "An Act legalizing and validating all elections heretofore held in any city or town of this state, authorizing the creation or increase of the indebtedness of such city or town within or exceeding three percentum of the total assessed valuation of the taxable property of said city or town, as ascertained by the last assessment for state and county purposes, for any of the purposes set forth in Subdivision 64, Section 5039, Revised Codes of Montana, 1921, as amended, and Section 1, Chapter 160, Session Laws of Montana, 1931, or under the provisions of Chapter 24 of the Extraordinary Session of the Twenty-third Legislative Assembly, which elections were held after notice published and posted, as provided in Section 5279 or Section 8, Chapter 160, of the Session Laws of Montana of 1931, at which the proposal to create or increase said indebtedness received a majority of all votes tender-

ed and of all votes cast at such election." Referred to Committee on Highways.

S. B. No. 186, introduced by Coburn: A Bill for an Act entitled: "An Act to amend Sections 2382 and 2383 of the Revised Codes of Montana of 1921, as amended by Chapter 150 of the Laws of 1923 and by Chapter 186 of the Laws of 1925 and by Initiative Measure No. 31, Laws of 1927, and as amended by Chapter 6 of the Session Laws of 1931; and also to amend Section 3, Chapter 19 of the Laws of 1927; being Section 2396.2 and 2396.3 respectively, of the supplement to the Revised Codes of Montana 1923-1927, as amended by Chapter 92 of the Laws of 1929, and as amended by Chapter 6 of the Session Laws of 1931, requiring all persons, co-partnerships, firms, associations, joint stock companies, syndicates and corporations engaging in, or carrying on the business of this state of selling, handling or using gasoline, to pay to the State Board of Equalization certain license taxes for engaging in, and carrying on such business in this state; fixing the amount of such license taxes and providing a method for the assessment and collection thereof." Referred to Committee on Revenue and Taxation.

S. B. No. 58, introduced by Hollenback and Cotter: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 19 of the Session Acts of the Twentieth Legislative Assembly of Montana of 1927, as amended by Section 1 of Chapter 170 of the Session Acts of the Twenty-third Legislative Assembly of 1933, defining the terms used in the Act requiring the payment of license taxes by gasoline dealers." Referred to Committee on Revenue and Taxation.

S. B. No. 172, introduced by Parkin: A Bill for an Act entitled: "An Act to amend Section 1638 of the Revised Codes of Montana of 1921, relating to the decision of County Commissioners on a petition for establishing, changing or discontinuing highways, and designating the method of giving notice to interested parties." Referred to Committee on Townships and Counties.

S. B. No. 181, introduced by Garrison: A Bill for an Act entitled: "An Act relating to the transportation to and from schools having more than one teacher, or in lieu thereof board and room or reimbursement of pupils who reside four (4) miles or more from such school and in the school district maintaining such school." Referred to Committee on Education.

S. B. No. 187, introduced by MacGivra, Hollenback, Coburn, Liess, Stevens, Cotter, Arnold, Larson, Oliver, Kalberg, Lamp, Parkin, Angvick, Garrison, Kelsey, Carey, Carroll, Simmons, Campbell, Thien, R. Pauline, Church, O'Day, Kilduff, Page, Hammond, Anderson, Eaton, Metlen, Groff, Plumer, Benjamin, Holton, Ekegren, Harris, Clifford, Putnam, Armstrong, F. W. Delaney, Baker, Sullivan, Colbo and J. N. Nass: A Bill for an Act entitled: "An Act prohibiting the use of voting machines in the State of Montana and repealing Sections 757 to 773, inclusive, of the Revised Codes of Montana, 1921, and all other Acts in conflict herewith." Referred to Committee on Privileges and Elections.

S. B. No. 188, introduced by Oliver, Kelsey, Arnold, Anderson, Eaton, Cotter, Coburn, Angvick, Kalberg, Melton, Plumer, Carroll, Thien, Simmons, Stevens, Groff, Benjamin, Holton, Hollenback, Garrison, Lamp, Ekegren, Harris, Parkin, R. Pauline, Page, Putnam, Clifford, Armstrong, F. W. Delaney, Carey, MacGivra, Baker, Sullivan, G. A. Colbo, J. N. Nass, and Larson: A Bill for an Act entitled: "An Act providing for the cancellation of registration, re-registration, registration and identification of electors in all counties wherein the number of registered electors shall exceed 22,000 and providing for the enforcement of this Act, and penalties for the violation hereof." Referred to Committee on Privileges and Elections.

S. B. No. 191, introduced by Plank, Sparling, Holton, Kilduff and Angvick: A Bill for an Act entitled: "An Act relating to state lands; providing for the resale and repurchase of such lands upon the cancellation of certificates of purchase; assuring certain preference rights to the original purchaser in the event of a resale; authorizing reappraisal of lands by the State Board of Land Commissioners in case of a resale; specifying the terms and conditions of resale contracts and repealing Section 89 of Chapter 60 of the Session Acts of the Twentieth Legislative Assembly of Montana 1927, as amended by Chapter 101 of the Session Acts of the Twenty-first Legislative Assembly of Montana of 1929 and all other Acts and parts of Acts in conflict herewith." Referred to Committee on State Lands.

S. B. No. 192, introduced by Plank, Sparling, Holton, Kilduff and Angvick: A Bill for an Act entitled: "An Act relating to the payment for state lands under certificate of purchase and the reinstatement of cancelled certificates of purchase in whole or in part." Referred to Committee on State Lands.

S. B. No. 197, introduced by Parkin: A Bill for an Act entitled: "An Act to amend Section 1219 of the Revised Codes of Montana of 1921 as amended by Chapter 120, Acts of the Nineteenth Legislative Assembly and to amend Sections 1221 and 1222 Revised Codes of Montana of 1921, all relating to the voting of additional school levies for district school purposes." Referred to Revenue and Taxation Committee.

S. B. No. 199, introduced by Cotter: A Bill for an Act entitled: "An Act defining certain acts in the handling of the finances of mining and oil companies operating within the State of Montana as fraudulent; providing for the prosecution of said fraudulent acts, and fixing penalties upon the conviction thereof." Referred to Committee on Judiciary.

S. B. No. 205, introduced by Kalberg: A Bill for an Act entitled: "An Act to provide for the appointment of a committee to investigate and recommend to the next session of the legislature a plan for the simplification of public legal documents and evidences of transfer of title to property; designating the composition of said committee; providing its compensation and duties, and appropriating money therefor." Referred to Committee on Appropriations.

S. B. No. 212, introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act limiting the time within which an action for the recovery of real property of any dissolved corporation, or for possession thereof or the rents or profits thereof, may be brought by any stockholder, officer, director or other person claiming under or through said corporation." Referred to Committee on Judiciary.

S. B. No. 104, introduced by Committee on Public Lands: A Bill for an Act entitled: "An Act recognizing the liability of the state for the public school permanent fund under Section 3 of Article XI of the Constitution of the state, acknowledging its obligation thereunder to keep such public school fund inviolate and its guarantee against the loss or diversion or any part thereof including the investments in state farm mortgage loans; providing for assuming and taking over as the property of the state itself all such state farm loans and all lands acquired by the state under such loans together with all rights of the state in connection therewith, and providing for the repayment of the amount invested in such farm loans together with interest." Referred to Committee on State Lands.

S. B. No. 132, introduced by Lamp: A Bill for an Act entitled: "An Act to Amend Section 2 of Chapter 33 of the Session Acts of the Twentieth Legislative Assembly of Montana of 1927, relating to the exclusion of territory from the corporate limits of cities and towns, and providing for the vacation of streets, alleys, avenues and public places upon the exclusion of such territory." Referred to Committee on Affairs of Cities.

S. B. No. 145, introduced by Holt and Church: A Bill for an Act entitled: "An Act to amend Sections 1493 to 1497 inclusive of the Revised Codes of Montana of 1921 relating to the furnishing of free higher education to certain inmates of the State Orphans' Home, the State Industrial School and the State Vocational School for Girls." Referred to Committee on Education.

S. B. No. 161, introduced by Campbell: A Bill for an Act entitled: "An Act to regulate the deposit of public moneys of counties, cities and towns and authorizing the acceptance of cashier's checks of Federal Reserve Banks as security for such deposits." Referred to Committee on Banks and Banking.

S. B. No. 164, introduced by Sparling, Wass, Holton and Carroll: A Bill For an Act entitled: "An Act to amend Section 2 of Chapter 51 of the Session Acts of the Twenty-first Legislative Assembly of Montana of 1929, relating to expenditure by counties for the acquisition and maintenance of parks for public camping and recreational purposes." Referred to Committee on Townships and Counties.

S. B. No. 167, introduced by Oliver, Blankenbaker and Murphy: A Bill for an Act entitled: "An Act to provide for the destruction of old worthless reports, papers and records that have served their purpose and are substantiated by permanent records, in state, county, city and town offices under certain restrictions." Referred to Committee on Townships and Counties.

S. B. No. 189, introduced by Angvick, Cotter, Coburn, Kalberg, Plumer, Arnold, Simmons, Benjamin, Holton, Hollenback, Carrol, Garrison, Lamp, Ekegren, Harris, Parkin, Pauline, Page, Putnam, Clifford, Anderson, Armstrong, Carey, MacGilvra, Baker, Sullivan, Colbo, Nass, Larson and Shannon: A Bill for an Act entitled: "An Act to amend Section 590 of the Revised Codes of the State of Montana, 1921, relating to the appointment of judges of election." Referred to Committee on Privileges and Elections.

S. J. M. No. 4, introduced by Delaney, Holt and Carey: A Memorial to the Secretary of the Interior relative to the Buffalo Rapids Reclamation Project and requesting the aid of the Federal Government in the construction of said project." Referred to the Committee on Federal Relations.

S. J. R. No. 7, introduced by Danielsen and MacGilvra: A Resolution requesting the Congress of the United States to reimburse Roosevelt, Lake, Glacier, Sheridan, Blaine, Phillips, Hill, Big Horn, Pondera and Rosebud Counties, Montana, and other counties similarly situated, by the Federal Government for expenses incurred by said counties in the arrest and trial of Indian wards and for their maintenance while imprisoned. Referred to Committee on Federal Relations.

S. B. No. 143, introduced by Groff: A Bill for an Act entitled: "An Act to permit irrigation districts that have borrowed money from the United States, to change the boundaries of said district, with the consent of the land owners and the Secretary of Interior of the United States, by eliminating certain lands and providing the procedure for such elimination." Referred to Committee on Irrigation and Water Rights.

S. B. No. 215, introduced by Church: A Bill for an Act entitled: "An Act to amend Section 18 of Chapter 46 of the Laws of the Extraordinary Session of the Twenty-third Legislative Assembly, relating to the licensing and regulation of the manufacture, sale and distribution of beer and other similar fermented beverages, and repealing all Acts and parts of Acts in conflict therewith." Referred to Committee on Revenue and Taxation.

S. J. M. No. 5, introduced by Fish and Game Committee: A Joint Memorial to the Honorable House of Representatives of the United States

of America in Congress assembled: "Requesting that the Department of Agriculture of the United States be respectively urged to withdraw the orders whereby it seeks to take to itself as against the right of the State of Montana and its State Fish and Game Department the absolute and exclusive control of all fish, game and fur bearing animals lying within the boundaries of national forests." Referred to Committee on Fish and Game.

S. J. R. No. 6, introduced by Pauline, Campbell, Delaney and Holt: Resolution memorializing the Congress of the United States to repeal the fourth section of the Interstate Commerce Act, or to amend same, as proposed by the Pettengill Bill, H. R. 3263, introduced in the House of Representatives at the present session of Congress. Referred to Committee on Federal Relations.

S. B. No. 220, introduced by Holt and Oliver: A Bill for an Act entitled: "An Act to provide for the ratification and approval of the Yellowstone River Compact." Referred to Water Conservation and Flood Control Committee.

S. B. No. 165, introduced by Coburn: A Bill for an Act entitled: "An Act relating to the disposal of royalties and rentals hereafter received by the state from oil, gas and other mineral rights which have been reserved by the state from contracts and conveyances made prior to February 26, 1929, of lands acquired by the state through mortgage foreclosures, and providing for the payment of six and one-fourth per cent ($6\frac{1}{4}\%$) of such royalties or rentals to the purchasers of such lands." Referred to Committee on Petroleum, Oil and Gas.

S. B. No. 148, introduced by Baker: A Bill for an Act entitled: "An Act extending to June 1, 1936, the period of the public works emergency relief program authorized by Chapter 24 of the Acts of the Extraordinary Session of the Twenty-third Legislative Assembly of 1933-1934, and repealing all Acts in conflict herewith." Referred to Committee on Public Morals, Charities and Reforms.

S. B. No. 217, introduced by Cotter, Hollenback and Garrison: A Bill for an Act entitled: "An Act to amend Chapter 109 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana, relating to the regulation and sale of gasoline and other petroleum products, by adding after Section 19 thereof a new section to be known as Section 19A, providing for the revocation by the Public Service Commission of the license to engage in the business of selling gasoline and other petroleum products issued to any person, firm, partnership, association or corporation, and granting the right of appeal where such revocation is ordered." Referred to Committee on Public Utilities and State Commissions.

S. B. No. 133, introduced by Meyer: A Bill for an Act entitled: "An Act regulating the rank and priority of liens for general taxes and assessments for local improvements in cities and towns." Referred to Committee on Townships and Counties.

S. J. R. No. 8, introduced by Holt: "Providing that the Montana Rural Rehabilitation Corporation be recognized and designated as a public agency and instrumentality of the state, for the purpose of assisting in the rehabilitation of individuals and families as self-sustaining human beings, and authorizing the various officers, boards, courts and governing bodies of the state now engaged in the relief of destitution and unemployment to cooperate with said corporation." Referred to Committee on Public Morals, Charities and Reforms.

S. B. No. 179, introduced by Kelsey: A Bill for an Act entitled: "An Act to amend Section 17 of Chapter One Hundred Nine (109) of the Session Laws of the Twenty-second Legislative Assembly of Montana of 1931, as last amended by Section 4 of Chapter Fifty-six (56) of the Session Laws

of the Twenty-third Legislative Assembly of Montana of 1933, the same being an Act providing for the adoption of the managerial form of county government." Referred to Committee on Affairs of Cities.

S. B. No. 208, introduced by Campbell, Larson and O'Day: A Bill for an Act entitled: "An Act relating to payments on bonds and warrants of special improvement districts, and prescribing a period of limitation for accepting or rejecting the provisions thereof." Referred to Committee on Judiciary.

S. B. No. 151, introduced by Garrison, Holt and Sparling: A Bill for an Act entitled: "An Act creating the electrification authority of Montana for the purpose of promoting and encouraging the fullest possible use of electric energy in the state by making electric energy available to inhabitants of the state at the lowest consistent with sound economy and prudent management; authorizing the authority to buy, sell and distribute electric energy and to construct or otherwise acquire a system or systems for the transmission and distribution of electric energy to carry out the authority; providing for the payment of such bonds and the rights of the holders thereof; and declaring an emergency." Referred to Committee on Public Utilities and State Commissions.

S. B. No. 218, introduced by Anderson and Plank: A Bill for an Act entitled: "An Act to amend Chapter 181 of the Session Laws of the Twenty-third Legislative Assembly of 1933, by adding thereto three new sections to be numbered respectively Section 4A, Section 4B, and Section 4C, relating to the method of ascertainment of gain or loss from the sale or exchange of property for the purpose of determination of income tax." Referred to Committee on Revenue and Taxation.

S. B. No. 152, introduced by Holt: A Bill for an Act entitled: "An Act to amend Section 5084, Revised Codes of Montana, 1921, relating to the payment of judgments recovered against cities and towns." Referred to Committee on Affairs of Cities.

S. B. No. 174, introduced by Carroll: A Bill for an Act entitled: "An Act to permit counties which are indebted beyond the limit provided by Section 5 of Article XIII of the Constitution to operate on a cash basis." Referred to Committee on Townships and Counties.

S. B. No. 134, introduced by Meyer: A Bill for an Act entitled: "An Act providing for the foreclosure of special assessment liens by owners of unpaid bond or warrant prescribing procedure thereon." Referred to Committee on Judiciary.

S. B. No. 193, introduced by Holt: A Bill for an Act entitled: "An Act authorizing Boards of County Commissioners to establish grazing zones and to establish complete control over expenditures for public services in such zones." Referred to Committee on Livestock and Public Ranges.

Sub. S. B. No. 69, introduced by Hollenback, Holt and Oliver: A Bill for an Act entitled: "An Act relating to the classification of lands for purposes of taxation: providing for the classification and assessment of lands leased or used for grazing purposes; specifying the powers and duties of the County Board of Equalization in relation to the administration of this Act, repealing all Acts in conflict herewith." Referred to Committee on Revenue and Taxation.

S. B. No. 175, introduced by Kilduff and Holt: A Bill for an Act entitled: "An Act to declare the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and/or projects to provide dwelling accommodations for persons of low income; to provide for the creation of such housing authorities; to define the powers and duties of housing authorities and to provide for the exercise of

such powers, including acquiring property by purchase, gift or eminent domain, and including borrowing money, issuing revenue and credit bonds and other obligations, and giving security therefor; to confer remedies on obligees of housing authorities; to provide that the bonds of the authority shall be legal investments; to provide that housing authorities, their property and securities shall be tax exempt; and to declare an emergency requiring that this Act take effect from the date of its passage." Referred to Committee on Public Morals, Charities and Reforms.

S. B. No. 93, introduced by Nass and Benjamin: A Bill for an Act entitled: "An Act defining and prohibiting discrimination in the sale of merchandise within the State of Montana; providing punishment for the violation of this Act; declaring rules of evidence in prosecution under this Act; authorizing the recovery of damages for a violation of this Act; defining the duties of the Attorney General in relation to this Act; defining terms used in this Act; and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on State Boards and Officers.

MOTIONS AND RESOLUTIONS

It was moved by Leavitt, duly seconded and carried, that Senate Substitute for Senate Substitute for House Bill No. 3 be returned to the Honorable Senate with the request that the history be corrected.

It was moved by Byrne, duly seconded and carried, that the House adjourn until 10:00 o'clock A. M., Wednesday, February 27th, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FIFTY-SECOND DAY

House of Representatives,
Helena, Montana, February 27, 1935.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

A quorum for the transaction of business was present.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the fifty-first legislative day, find the same to be correct.

QUIGLEY, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 124, 181, 191, 359, 151, 192, 277, 340, Sub. 46, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:45 o'clock P. M., delivered to the Governor for his approval.

MONAHAN, Chairman.

Without objection, report adopted.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Rolph of Liberty in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration, business on General Orders, recommend the following:

That Senate amendments to House Bill No. 76 be not concurred in and a Conference Committee be appointed and a like committee requested from the Senate.

That Senate amendments to House Bill No. 206 be not concurred in and a Conference Committee be appointed and a like committee requested from the Senate.

That Senate amendments to House Bill No. 236 be concurred in.

That Senate amendments to House Bill No. 237 be concurred in.

That Senate amendments to House Bill No. 90 be concurred in.

That Senate amendments to Substitute House Bill No. 279 be not concurred in and a Conference Committee be appointed and a like committee requested from the Senate.

That Senate amendments to House Bill No. 267 be concurred in.

That Senate amendments to House Bill No. 140 be not concurred in and a Conference Committee be appointed and a like committee be requested from the Senate.

That Senate amendments to House Bill No. 135 be concurred in.

That Senate Bill No. 163 be concurred in.

ROLPH, Chairman.

On motion of Rolph, report adopted.

The Speaker appointed the following Conference Committees: On House Bill No. 206, Emmons of Deer Lodge; Brennan of Richland; and Padbury of Lewis and Clark. On House Bill No. 140, Burris of Deer Lodge, Nutting of Yellowstone and Leavitt of Custer.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

Senate amendments to House Bill No. 236, introduced by Committee on Agriculture were concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Ballard, Bertsche, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kruse, Kuhl, Lasby, Leary, Lemmer, Liggett, Lippard, Logan, Lott, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Byrne, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Galatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Watson, Whaley, White (Hill), York, Mr. Speaker. Total 85.

Noes: None.

Absent and not voting: Balgord, Boone, Egan, Fowler, Harlen, Kathan, Kelly, Leavitt, Lovell, Manning, Mitchell, O'Brien, O'Connor, Stromnes, Toomey, White (Judith Basin), Worden. Total 17.

Mr. Speaker: 85 have voted "aye," none have voted "no"; Senate amendments to House Bill No. 236 were concurred in by the House.

Senate amendments to House Bill No. 237, introduced by Committee on Agriculture were concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harwood, Haugan, Heavlin, Hedden, Holding, Joffray, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Leavitt, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Galatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Stevens, Stimatz, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 86.

Noes: None.

Absent and not voting: Bertsche, Boone, Cusick, Fowler, Harlen, Hinerman, Kelly, Lemmer, Minette, Mitchell, Moss, O'Connor, Southmayd, Stromnes, Toomey, White (Judith Basin). Total 16.

Mr. Speaker: 86 have voted "aye," none have voted "no"; Senate amendments to House Bill No. 237 were concurred in by the House.

Senate amendments to House Bill No. 90, introduced by Kruse were concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harwood, Haugan, Heavlin, Hedden, Holding, Joffray, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Leavitt, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Neary, Nelson, Nutting, O'Brien, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Galatin), Peterson (Valley), Quigley, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 85.

Noes: None.

Absent and not voting: Ballard, Bertsche, Boone, Byrne, Fowler, Harlen, Hinerman, Kelly, Lemmer, Moss, Mundy, O'Byrne, O'Connor, Ritch, Rolph, Stromnes, White (Judith Basin). Total 17.

Mr. Speaker: 85 have voted "aye," none have voted "no"; Senate amendments to House Bill No. 90 were concurred in by the House.

Senate amendments to House Bill No. 267, introduced by Leavitt were concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harwood, Haugan, Heavlin, Hedden, Holding, Joffray, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Leavitt, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Mulholland, Mundy, Neary, Nelson, Nutting,

O'Brien, O'Byrne, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Toomey, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 87.

Noes: Stimatz. Total 1.

Absent and not voting: Ballard, Bertsche, Fowler, Groene (Fergus), Harlen, Hinerman, Kelly, Lemmer, Monahan, Moss, O'Connor, Rolph, Stromnes, White (Judith Basin). Total 14.

The Speaker: Eight-seven have voted "aye," one has voted "no"; Senate amendments to House Bill No. 267 were concurred in by the House.

Senate amendments to House Bill No. 135, introduced by Ryan and Mitchell were concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Boone, Brennan, Busch, Buttelman, Chamberlain, Chapman, Connors, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harwood, Haugan, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Mundy, Nelson, Nutting, O'Brien, O'Byrne, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sexton, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 85.

Noes: None.

Absent and not voting: Bertsche, Burris, Byrne, Conner, Coultas, Fowler, Harlen, Heavlin, Leary, Lemmer, McLaughlin, Moss, O'Connor, Rolph, Sherman, Stromnes, White (Judith Basin). Total 17.

Mr. Speaker: Eighty-five have voted "aye," none have voted "no"; Senate amendments to House Bill No. 135 were concurred in by the House.

THIRD READING OF SENATE BILLS

Senate Bill No. 163, introduced by Angvick and Kalberg, having been read three several times, history and title agreed to, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Boone, Brennan, Busch, Buttelman, Chamberlain, Chapman, Connors, Coultas, Doe, Ecton, Egan, Emmett, Emmons, Goodwin, Gordon, Gray, Green (Dawson), Hall, Hamilton, Harwood, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Leavitt, Liggett, Lippard, Logan, Lott, McCausland, McLaughlin, Manning, Masterson, Minette, Mitchell, Mulholland, Neary, Nutting, O'Brien, O'Byrne, Ormsbee, Padbury, Parker, Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Watson, Whaley, Worden, York, Mr. Speaker. Total 68.

Noes: Cusick, Ewing, Foor, Haight, Haugan, Kelly, Kruse, Kuhl, Lasby, Lovell, Miller (Roosevelt), Miller (Big Horn), Mundy, Nelson, Petersen (Sheridan), Scofield, Stimatz. Total 17.

Absent and not voting: Bertsche, Burris, Byrne, Conner, Fowler, Groene (Fergus), Harlen, Leary, Lemmer, Metlen, Monahan, Moss, O'Connor, Stromnes, Toomey, White (Judith Basin), White (Hill). Total 17.

The Speaker: Sixty-eight have voted "aye," seventeen have voted "no"; Senate Bill No. 163 has been concurred in by the House.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 123, 427, 262.

MONAHAN, Chairman.

Without objection, report adopted.

I have read House Bill No. 123 as reported from the Enrolling Committee and certify same to be correct.

HAUGAN.

I have read House Bill No. 427 as reported from the Enrolling Committee and certify same to be correct.

WORDEN.

I have read House Bill No. 262 as reported from the Enrolling Committee and certify same to be correct.

CHAPMAN.

The Speaker announced he was about to sign House Bill No. 123, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 427, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 262, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

REPORTS OF SELECT COMMITTEES

Mr. Seaker: We, your Conference Committee, appointed to consider the Senate amendments to House Bill No. 64, beg leave to report that we ask that all Senate amendments be concurred in.

BURRIS,
BUSCH,
KRUSE.

For the House.

OLIVER,
CAMPBELL,
GROFF.

For the Senate.

STATEMENT

We, your Conference Committee, in explanation as to the concurrence of the Senate amendments to House Bill No. 64 desire to report that the Senate amendments have no material effect upon changing the real purpose of House Bill No. 64. It is the desire and interest of House Bill No. 64 to leave the responsibility of entering into contracts with the depository bank or banks to the Depository Board as to the amount of interest to be paid upon state funds.

At the present time, state funds in the treasurer's office draw no interest due to the fact that there is no demand for money. It is the purpose of this Act to allow the necessary authority to rest within the State Depository Board as to the amount of interest to be paid upon state funds from time to time, based upon the market demand for money.

Senate amendment on page two (2) of House Bill No. 64 has a desired effect in so far as this practice is now being carried out.

It appears to the Conference Committee that the provision as stricken by the Senate amendments on page three (3) of House Bill No. 64 is obsolete and has been in effect for many years, and there is no good reason why it should be left in this bill.

On motion of Burris, the Conference Committee report on Senate amendments to House Bill No. 64 was adopted by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Doe, Egan, Emmett, Ewing, Foor, Goodwin, Gordon, Green (Dawson), Haight, Hall, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kuhl, Lasby, Leavitt, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Master-son, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Sexton, Sherman, Southmayd, Spiegel, Stevens, Toomey, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 81.

Noes: Gray, Stimatz. Total 2.

Absent and not voting: Boone, Cusick, Ecton, Emmons, Fowler, Groene (Fergus), Hamilton, Harlen, Joffray, Kruse, Leary, Lemmer, Minette, Moss, Mulholland, Scofield, Smith, Stromnes, White (Judith Basin). Total 19.

The Speaker: Eight-one have voted "aye," two have voted "no"; the report of the committee has been adopted.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF THE SAME

The following, having been read first and second time, was referred to the Committee on Federal Relations:

H. J. M. No. 12, introduced by Monahan: A Memorial memorializing the Congress of the United States, and the Secretaries of Agriculture, and of the Interior, to conduct a thorough investigation into the complaints of ranchers residing in the Tom Minor Basin, with reference to the action of the national park service, and the game preservation association, in withdrawing 43 square miles of range land from the use of said ranchers, and annexing such land to Yellowstone National Park.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:30 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Labor having had under consideration Substitute Senate Bill No. 102 entitled: "An Act to amend Section 1 of Chapter 196 of the Session Laws of 1931, providing for the employment of prison labor in the manufacture of common and cement sand brick and for construction and repair of building at the Montana State Prison," respectfully report as follows: That Substitute Senate Bill No. 102 be concurred in.

MULHOLLAND, Chairman.

On motion of Mulholland, report adopted.

Mr. Speaker: We, your Committee on State Boards and Officers having had under consideration Senate Bill No. 111 entitled: "An Act to amend Sections 1, 2 and 3 of Chapter 46, Session Laws of 1933; being an Act to regulate the practice of the profession of public accounting or auditing; providing for the qualifications, examination and admission of applicants and the issuance of certificates thereto; providing for an Examining Board and the powers thereof," respectfully report as follows: That Senate Bill No. 111 be concurred in.

BURRIS, Chairman.

On motion of Burris, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties having had under consideration Senate Bill No. 174 entitled: "An Act to permit counties which are indebted beyond the limit provided by Section 5 of Article XIII of the constitution to operate on a cash basis," respectfully report as follows: That Senate Bill No. 174 be concurred in.

BALLARD, Chairman.

On motion of Miller of Roosevelt, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties having had under consideration Senate Bill No. 170 entitled: "An Act authorizing County Commissioners to deed county lands to the state for state park purposes," respectfully report as follows: That Senate Bill No. 170 be concurred in.

BALLARD, Chairman.

On motion of Miller of Roosevelt, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties having had under consideration Senate Bill No. 167 entitled: "An Act to provide for the destruction of old worthless reports, papers and records that have served their purpose and are substantiated by permanent records, in state, county, city and town offices under certain restrictions," respectfully report as follows: That Senate Bill No. 167 be concurred in.

BALLARD, Chairman.

On motion of Miller of Roosevelt, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties having had under consideration Senate Bill No. 164 entitled: "An Act to amend Section 2 of Chapter 51 of the Session Acts of the Twenty-first Legislative Assembly of Montana of 1929, relating to expenditure by counties for the acquisition and maintenance of parks for public camping and recreational purposes," respectfully report as follows: That Senate Bill No. 164 be concurred in.

BALLARD, Chairman.

On motion of Miller of Roosevelt, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking having had under consideration Senate Bill No. 161 entitled: "An Act to regulate the deposit of public moneys of counties, cities and towns and authorizing the acceptance of cashier's checks of Federal Reserve Banks as security for such deposits," respectfully report as follows: That Senate Bill No. 161 be concurred in.

ACHER, Chairman.

On motion of Acher, report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation having had under consideration Senate Bill No. 214 entitled: "An Act per-

mitting injured workmen or public officer to file claims for compensation for alleged industrial accident, injury and disability after the expiration of six months from the date of the happening of the accident, injury and disability and permitting notice thereof to be deemed given," respectfully report as follows: That Senate Bill No. 214 be concurred in.

SPIEGEL, Chairman.

On motion of Spiegel, report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation having had under consideration Senate Bill No. 207 entitled: "An Act to amend Section 2899 of the Revised Codes of Montana, 1921, relating to the Workmen's Compensation Act," respectfully report as follows: That Senate Bill No. 207 be concurred in.

SPIEGEL, Chairman.

On motion of Spiegel, report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration Senate Bill No. 64 entitled: "An Act to amend Section 5766 of the Revised Codes of Montana of 1921, relating to the period of residence required to entitle plaintiff to divorce," respectfully report as follows: That Senate Bill No. 64 be concurred in.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration Senate Bill No. 77 entitled: "An Act to amend Section 9122 of the Revised Codes of Montana, 1921, relating to proof of service of summons and complaint—how made," respectfully report as follows: That Senate Bill No. 77 be concurred in.

BOONE, Chairman.

On motion of Boone, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Leavitt, duly seconded and carried, that consideration of Senate Bills Nos. 4 and 22 be passed for the day.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Mulholland in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That Substitute Senate Bill No. 16 be amended as follows: Amend Section 2 by inserting after the word "that" and "comma" where it appears the first time in line six of the printed bill, the following words: "the title to" and as amended be concurred in.

That Senate Bill No. 17 be concurred in.

That Senate Bill No. 25 be concurred in.

That Senate Bill No. 27 be concurred in.

That Senate Bill No. 28 passed temporarily.

That Senate Bill No. 34 be concurred in.

That Senate Bill No. 39 be amended as follows: Amend the title by adding after the word "banks" the words "and the administration of in-

solvent banks by the State Superintendent of Banks"; amend Section 1 by adding after the word "corporations" in line 54 the following: "The liquidating agent or liquidating officer, under the Superintendent of Banks, in charge of the liquidation of any bank in this state, shall file with the District Court within ninety (90) days after taking charge of an insolvent bank a complete inventory of all of the assets of the insolvent bank, such as furniture, fixtures, real estate, mortgages, bonds, notes secured and unsecured, and all equities which the bank may hold as collateral and thereafter he shall be required to make and file with the court a complete monthly report showing the assets which have been liquidated and collected, showing all the payments which have been made to creditors, all claims of creditors presented and allowed and the manner in which the claims have been handled, and showing in every manner the exact condition of the insolvent bank in course of liquidation and the result of each month's work; so that both the court and the public may be apprized of the condition of the bank and the manner in which it is being liquidated with respect to the collection and sale of assets belonging to the insolvent bank and the manner in which claims are being paid," and as amended be concurred in.

That Senate Bill No. 46 be concurred in.

That Senate Bill No. 48 be concurred in.

That Senate Bill No. 50 be amended as follows: Amend the title by inserting after the word "amend" in line 1 the following: "Section 1 of"; amend title by striking out in line 1 of the title the word "Acts" and inserting in lieu thereof the word "Laws" and by inserting after the word "Montana" the figures "1933"; amend by inserting after the enacting clause the following: "Section 1. That Section 1 of Chapter 8 of the Session Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933, be and the same is hereby amended to read as follows"; amend Section 2 by striking out in line 2 the word "highway" and the comma after the word "road" and inserting after the word "road" the word "machinery"; amend the title by striking out in line 5 the word "highway" and the comma after the word "road" and inserting after the word "road" the word "machinery"; and as amended be concurred in.

That Senate Bill No. 53 be passed temporarily.

That Senate Bill No. 75 be concurred in.

That Senate Bill No. 76 be concurred in.

That Senate Bill No. 78 be concurred in.

That Senate Bill No. 83 be passed for the day.

That Senate Bill No. 95 be amended as follows: Amend the title by striking out the word "Acts" and inserting in lieu thereof the word "Laws"; amend Section 1, line 3 by striking out the word "Acts" and inserting in lieu thereof the word "Laws"; and as amended be concurred in.

That Senate Bill No. 117 be concurred in.

That Senate Bill No. 129 be concurred in.

That Substitute Senate Bill No. 102 be amended as follows: Amend the title by inserting after the word "Laws" in line 2 the following: "of the Twenty-second Legislative Assembly of Montana"; amend Section 1, line 1, by inserting after the word "Laws" the following: "of the Twenty-second Legislative Assembly of Montana"; and as amended be concurred in.

That Senate Bill No. 111 be amended as follows: Amend the title by inserting after the word "of" in line 2 the words "the Twenty-third Legislative Assembly of Montana"; amend Section 1, line 1, after the word "Laws of" the following: "the Twenty-third Legislative Assembly of Montana"; and as amended be concurred in.

That Senate Bill No. 174 be amended as follows: Amend by striking out lines 1 to 11 inclusive; and as amended be concurred in.

That Senate Bill No. 170 be concurred in.

That Senate Bill No. 167 be concurred in.

MULHOLLAND, Chairman.

On motion of Mulholland, report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: 64, 90, 135, 236, 237, 267.

MONAHAN, Chairman.

Without objection, report adopted.

I have read House Bill No. 64 as reported from the Enrolling Committee and certify same to be correct.

BURRIS.

I have read House Bill No. 90 as reported from the Enrolling Committee and certify same to be correct.

KRUSE.

I have read House Bill No. 135 as reported from the Enrolling Committee and certify same to be correct.

RYAN.

I have read House Bills Nos. 236 and 237 as reported from the Enrolling Committee and certify same to be correct.

CHAPMAN.

I have read House Bill No. 267 as reported from the Enrolling Committee and certify same to be correct.

LEAVITT.

The Speaker announced he was about to sign House Bill No. 64, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 90, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 135, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 236, whereupon the Clerk read title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 237, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 267, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND
READING OF THE SAME

The following were introduced, read first and second time, and referred to Committees:

S. B. No. 47, introduced by Simmons: A Bill for an Act entitled: "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section Seven of Article Five of the Constitution of the State of Montana, relating to Senators and Representatives." Referred to Committee on Constitutional Amendments.

S. B. No. 169, introduced by Kilduff and Holt: A Bill for an Act entitled: "An Act to authorize cities, towns and incorporated villages and the state, its subdivisions and agencies to co-operate with housing authorities and the United States of America by rendering services, conveying or leasing property, and providing for streets, roads and other facilities; to require any city of the first or second class located within a housing authority to make an appropriation for the first year's administrative expenses of such authority; to authorize cities, towns and incorporated villages located within housing authorities to make grants and lend money to such housing authorities; and to declare an emergency requiring that this Act take effect from the date of its passage." Referred to Committee on Affairs of Cities.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND
THE SENATE

The Speaker,
House of Representatives,
Helena.

I have the honor to advise you that I have this day approved the following House measures:

H. B. No. 160—Relating to procedure in cases where a juror or the judge is unable to perform his duties by reason of sickness.

H. B. No. 181—Fixing minimum wage of members of police departments in certain cities.

H. B. No. 192—Relating to traveling expenses of assessors and their deputies.

H. B. No. 277—Relating to the salary of the State Accountant.

H. B. No. 340—Relating to Workmen's compensation law and defining "major dependent."

H. B. No. 359—Providing for reversion to the Soldiers' Home of money left by deceased members.

Sub. H. B. No. 46—Relating to the election and term of office of all elective municipal officers.

F. H. COONEY, Governor.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that Senate Bill No. 53 be taken from General Orders and re-referred to the Committee on Public Morals, Charities and Reforms.

It was moved by Byrne, duly seconded and carried, that the House adjourn until 10:00 o'clock A. M., Thursday, February 28, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:
JOHN J. JEWELL, Chief Clerk.

FIFTY-THIRD DAY

House of Representatives,
Helena, Montana, February 28, 1935.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

A quorum for the transaction of business was present. Coultas, Goodwin, Leary, Metlen and White of Judith Basin, excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fifty-second Legislative Day, find the same to be correct.
QUIGLEY, Chairman.

Without objection, report adopted.

The Speaker appointed the following Conference Committees:

On Senate amendments to House Bill No. 279, Monahan, Hamilton and Smith.

On Senate amendments to House Bill No. 76, Conner, Gordon and Padbury.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 189, entitled: "An Act to amend Section 590 of the Revised Codes of the State of Montana, 1921, relating to the appointment of Judges and Clerks of Election," respectfully report as follows:

That Senate Bill No. 189 be amended as follows: In Section 1, line 19, strike out the word "committee" and insert in lieu thereof the word "committees" and insert after the word "committees," the following: "of the two major political parties," and as amended, be concurred in.

HAIGHT, Chairman.

On motion of Haight, report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Resolution No. 7, entitled: A resolution requesting the Congress of the United States to reimburse Roosevelt, Lake, Glacier, Sheridan, Blaine, Phillips, Hill, Big Horn, Pondera, Sanders and Rosebud Counties, Montana, and other counties similarly situated, by the Federal Government for expenses incurred by said counties in the arrest and trial of Indian wards and for their maintenance while imprisoned," respectfully report as follows:

That Senate Joint Resolution No. 7 be concurred in.

STEVENS, Chairman.

On motion of Stevens, report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Memorial No. 4, entitled: "A memorial to the Secretary of Interior relative to the Buffalo Rapids reclamation project and requesting the aid of the Federal Government in the construction of said project," respectfully report as follows:

That Senate Joint Memorial No. 4 be concurred in.

STEVENS, Chairman.

On motion of Stevens, report adopted.

Mr. Speaker: We, your Committee on Petroleum, Oil and Gas, having had under consideration Senate Bill No. 2, entitled: "An Act defining what constitutes discrimination in the sale of any standard petroleum

product within the State of Montana; declaring discrimination to be fraud; making parties violating Act guilty of misdemeanor; fixing burden of proof; defining the term 'Standard Petroleum Product'; duty of Attorney General when complaint is made of him; duty of County Attorney; providing penalties for violation of the Act; authorizing verdict in civil action for actual as well as exemplary damages for violation of this Act; and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That Senate Bill No. 2 be concurred in.

MINETTE, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Public Utilities and State Commissions, having had under consideration Senate Bill No. 217, entitled: "An Act to amend Chapter 109 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana relating to the regulation and sale of gasoline and other petroleum products, by adding after Section 19 thereof a new section to be known as Section 19A, providing for the revocation by the Public Service Commission of the license to engage in the business of selling gasoline and other petroleum products issued to any person, firm, partnership, association or corporation, and granting the right of appeal where such revocation is ordered," respectfully report as follows:

That Senate Bill No. 217 be concurred in.

ORMSBEE, Chairman.

On motion of Ormsbee, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Senate, and bills are herewith returned to the House:

H. J. M. No. 8.

H. J. M. No. 11.

H. B. No. 183.

H. B. No. 338.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 409, by Brennan, by request, was this day recommended for non-concurrence by the Senate Committee on Irrigation and Water Rights, and bill is herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, requests the House for the return of H. B. No. 338 for further consideration.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Senate, and bills are herewith returned to the House:

Sub. H. B. No. 6, by Committee on Public Morals, Charities and Reforms.

H. B. No. 14, by Holding and Mulholland.

H. B. No. 137, by Groene.

H. B. No. 243, by Ahlgreen and Sexton.

Sub. H. B. No. 255, by Committee on Labor.

H. B. No. 308, by Padbury, Smith, Toomey, by request.

H. B. No. 472, by Boone.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that the messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration Business on General File, respectfully report and recommend as follows:

That H. B. Nos. 15, 241, Sub. 66, 291, 486, 336, be concurred in.

That H. B. No. 243 be amended by adding a new section to be known as Section 6 to read as follows:

"Section 6. No person, firm or corporation, by himself or his agents, shall sell, agree to sell, or advertise for sale, any cold storage or preserved eggs without making it known to the purchaser or prospective purchaser, that the eggs are cold storage or preserved eggs, and all boxes or other receptacles in which cold storage or preserved eggs are displayed for sale, sold or delivered, in wholesale or retail, shall be marked or lettered in a conspicuous manner with the words 'cold storage eggs' or 'preserved eggs,'" and as amended be concurred in.

That consideration of H. B. Nos. 296, 54, Sub. 255, 283 and 474 be passed for the day.

That H. J. M. No. 11 be not concurred in.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day signed in open session:

H. B. No. 340.

H. B. No. 192.

H. B. No. 151.

H. B. No. 277.

Sub. H. B. No. 46.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration Business on General File, respectfully report and recommend as follows:

That H. B. No. 14 be concurred in.

That H. B. No. 329, 292, 344, be concurred in.

That consideration of H. B. No. 478 be passed for the day.

That H. B. No. 74 be concurred in.

That H. B. No. 372 be amended in Section 4 by inserting in line 1 after the word "selling" the words, "at wholesale";

Be amended in Section 4 by striking out in line 6 after the words "credited to the," all words in this line, striking out lines 7, 8 and 9, and all words in line 10 to and including the word "Act" period; and inserting in lieu thereof the words, "general fund of the state."

Be amended in Section 8 by striking out all of line 2 after the word "Act" and all of line 3, and inserting in lieu thereof the words, "shall be deposited with the Treasurer of the State of Montana and credited to the special fund known as the 'revolving fund of the Division of Horticulture' to be expended by the chief of said division upon approval of the Treasurer of the State of Montana and all moneys so deposited shall be subject to the uses of the Chief of the Division of Horticulture for the purpose of carrying out the provisions of this Act," and as amended, be concurred in.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Judiciary: That H. B. No. 136 be amended by striking out in Section 1, line 21, original bill (line 8, printed bill), the word "present," and as amended, be concurred in.

Judiciary: That H. B. No. 183 and H. B. No. 338 be not concurred in. That H. B. Nos. 341 and 433 be concurred in.

Federal Relations: That H. J. M. No. 8 be not concurred in.

That H. J. R. No. 6 be concurred in.

That H. J. R. No. 5 be concurred in.

Fish and Game: That H. B. No. 171 be concurred in.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced in the Senate, read first and second times, and referred to committees:

H. B. No. 2—Taxation.

H. B. No. 20—State Boards and Offices.

Sub. H. B. No. 28—Finance and Claims.

H. B. No. 84—Roads and Highways.

H. B. No. 152—Water Conservation and Flood Control.

H. B. No. 170—Roads and Highways.

Sub. H. B. No. 195—Relief and Social Welfare.

H. B. No. 201—Judiciary.

H. B. No. 205—Judiciary.

Sub. H. B. No. 211—Finance and Claims.

H. B. No. 218—Public Morals.

H. B. No. 260—Dairies and Dairying.

H. B. No. 289—Public Morals.

H. B. No. 293—Education.

H. B. No. 303—Taxation.

Sub. H. B. No. 317—Finance and Claims.

H. B. No. 333—Finance and Claims.

H. B. No. 343—Relief and Social Welfare.

H. B. No. 364—Taxation

H. B. No. 375—Counties and Towns.

H. B. No. 376—Railroads and Transportation.

H. B. No. 377—Finance and Claims.

H. B. No. 379—Corporations Other Than Municipal.

H. B. No. 380—State Boards and Offices.

H. B. No. 381—Judiciary.

H. B. No. 382—State Boards and Offices.
 H. B. No. 384—State Boards and Offices.
 H. B. No. 387—State Boards and Offices.
 H. B. No. 388—State Boards and Offices.
 H. B. No. 390—State Boards and Offices.
 H. B. No. 391—Corporations Other Than Municipal.
 H. B. No. 392—Finance and Claims.
 H. B. No. 419—Taxation.
 Sub. H. B. No. 424—Taxation.
 H. B. No. 429—Judiciary.
 H. B. No. 443—Taxation.
 H. B. No. 497—Taxation.
 H. B. No. 511—Taxation.
 H. B. No. 517—Water Conservation and Flood Control.
 H. B. No. 522—Taxation.
 H. B. No. 535—Finance and Claims.
 H. B. No. 536—Finance and Claims.
 H. B. No. 537—Finance and Claims.
 H. B. No. 538—Finance and Claims.
 H. B. No. 539—Finance and Claims.

Respectfully,
 C. J. McALLISTER,
 Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration Business on General File, respectfully report and recommend as follows:

That S. B. No. 159 be indefinitely postponed.
 That consideration of S. B. No. 29 be indefinitely postponed.
 That S. B. No. 123 do not pass.
 That S. B. No. 134 do pass.

That S. B. No. 152 be amended as follows: By adding after the enacting clause of said bill and before the words, "Section 5084," the following: "Section 1. That Section 5084 of the Revised Codes of Montana of 1921, be, and the same is hereby amended to read as follows:"

Be amended in Section 2 by striking out in line 1 the words, "All Acts and parts of Acts in conflict herewith are hereby repealed."

On motion, duly seconded and carried, the Secretary was authorized to renumber sections accordingly, and as amended, do pass.

That S. B. No. 174 do pass.

That S. B. No. 193 be amended in Section 3 by striking out in line 4 the word, "ten," and inserting in lieu thereof the words, "twenty-five";

Be amended in Section 3 by adding in line 4 after the word "of" the following: "registered voters who are freeholders."

Further amend by striking out lines 5 and 6.

Be amended in Section 5 by striking out all of said section and renumbering sections accordingly.

Be amended in Section 2 by striking out in line 3 all of sub-section A after the word "grazing"; and as amended, do pass.

That S. B. No. 203 do pass.

That Sub. S. B. No. 69, S. B. Nos. 148, 175, 220, and 47 do pass.

That S. J. R. No. 8 do pass.

That S. B. Nos. 195, 177, do not pass.

That consideration of Sub. S. B. No. 40 be indefinitely postponed.

That S. B. No. 26 be amended in Section 3 by striking out in line 6 the words and figure "four (4) years," and inserting in lieu thereof the words and figure "two (2) years";

Be amended in Section 3 by inserting in line 8 after the word "agency," the words, "or military training";

Be amended in Section 2 by inserting in line 5 after the word "supervisor": "who shall be ex-officio Superintendent of Patrolmen";

Be amended in Section 4 by inserting in line 13 after the word "party": "Preference for appointment as supervisor and patrolman shall be given to overseas veterans of the World War"

Be amended in Section 4 by inserting in line 17 a new sub-section to be known as "8": "Has not served as a professional gunman or strike-breaker."

Be amended in Section 4 by striking out in line 8 the words and figures, "forty-five (45)"; and inserting in lieu thereof the words, "Fifty-five ((55))."

Be amended in Section 3 by adding after the word "sheriff" in line 7 the words, "patrol duty";

Be amended in Section 5 by striking out in line 5 after the word "uniform" the period and inserting the following: "designated by the Montana Highway Patrol Commission."

Be amended in Section 6 by striking out in line 18 the balance of the line after the word "manner," and all of lines 19, 20 and 21, and inserting in lieu thereof: "Driving an automobile or motorcycle in excess of speeds designated by the Highway Patrol Supervisor at dangerous points;"

Be amended in Section 7 by adding in line 39 after the word "order" the words, "by giving oral notice of appeal at the time of the order or within 30 days thereafter and the record shall be submitted to the county of his residence if a resident of Montana";

Be amended in Section 7 by adding in line 41 after the word "damages": "any conviction hereunder shall be prima facie evidence of negligence";

Be amended in Section 8 by striking out in line 7 the word "major," and inserting in lieu thereof the word "felony";

Be amended in Section 9 by adding in line 4 of Section 9 after the word "town": "that no patrol officer shall take part, assist or have authority to use his position in any strike situation or labor trouble and shall be subject to immediate discharge if he shall in any way violate this section";

Be amended in Section 10 by adding in line 10 "and said Justice of the Peace shall have authority to require a bond to satisfy any damage done by the offender";

Be amended in Section 11, line 4, by removing the period after "resides," and adding, "; and the County Treasurer is authorized and empowered to take acknowledgments and to swear persons to affidavits."

Be amended in Section 11 by striking out in line 1 the word and figures "ten (10)," and inserting in lieu thereof the word and figures "thirty (30)";

Be amended in Section 14 by adding in line 2 after the word "Act" "nothing herein shall repeal any criminal statute," and as amended, do pass.

That S. B. No. 114 do not pass.

That Senate Substitute for Senate Substitute for H. B. No. 3 be concurred in.

That S. B. No. 221 be amended in Section 1 by striking out all of said Section 1 and inserting in lieu thereof: "Section 1. That in order to upbuild and conserve state grazing lands within established Federal or

state co-operative grazing districts and to provide for the orderly use and improvement of the state lands, the State Land Board is authorized to enter into co-operative use agreements with the Secretary of the Interior or with the state co-operative grazing districts concerning all such state lands as are not under lease by the State Land Board and to accept such rentals for the use of such lands as may be agreed upon between the Secretary of the Interior or the state co-operative grazing associations and the State Board of Land Commissioners," and as amended, do pass.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Printing: Reported S. B. Nos. 148 and 175 correctly printed.

Judiciary:

Recommended H. B. No. 329 be concurred in.

Recommended H. B. No. 336 be amended by striking out in Section 1, lines 12, 13, 14, 15 and 16, the words, "except in estates where the value of the property is less than the preferred claims against said estate, or in estates wherein the property thereof has been or is set apart to the surviving widow and/or children as provided by law, in which cases no notice to creditors need be given; every," and inserting in lieu thereof the word, "every";

Be amended further in Section 1 by adding at the end thereof the words, "provided, that in estates where the value of the property is less than the preferred claims against said estate, or in estates wherein the property thereof has been or is set apart to the surviving widow and/or children as provided by law, in which cases no notice to creditors need be given"; and as amended, be concurred in.

Labor and Capital:

That H. B. No. 14 be concurred in.

That H. B. No. 474 be amended in Section 1 by striking out the word "same" in line 17, original bill.

Be amended in Section 2 by striking out in line 25 the words, "and registered at," and inserting in lieu thereof the words, "for at least three years prior to"; and as amended, be concurred in.

Finance and Claims: That H. B. No. 292 be concurred in.

Stockgrowing and Grazing: That H. B. No. 478 be concurred in.

Agriculture: That H. B. No. 372 be concurred in.

Relief and Social Welfare: That S. J. R. No. 8 do pass.

Engrossing: Reported S. B. Nos. 152, 174, 134, 193, 154, 208, 151, 218 correctly engrossed.

Printing: Reported S. B. Nos. 195, 177, 26, 220, 114, and Senate Substitute for Senate Substitute for H. B. No. 3 correctly printed.

Public Lands: Reported S. B. No. 221 back without recommendation.

Public Morals: Reported H. B. No. 344 with recommendation same be concurred in.

Irrigation and Water Rights: Recommended H. B. No. 74 be concurred in.

Recommended that H. B. No. 409 be not concurred in.

Engrossing: Reported S. B. Nos. 26, 221, 202, 186, 182, 138, 169, 203, 88, 92, 213, 165, 148, 217 and 133 correctly engrossed.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motions were this day made, duly seconded and carried:

Motion That S. B. No. 47 be recalled from the Printing Committee and considered printed and placed on General File, carried.

Motion that S. B. No. 221 be considered printed and placed on General File, carried.

On motion, Sub. S. B. No. 69, S. B. Nos. 175, 220, 47, S. J. R. No. 8, S. B. Nos. 169 and 203 were considered properly engrossed and placed on Third Reading.

On motion, Senate reconsidered vote by which S. B. No. 47 failed of passage on Third Reading. On motion, S. B. No. 47 was placed on Third Reading.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time, and referred to committees:

S. J. R. No. 8, by Holt, providing that the Montana Rural Rehabilitation Corporation be recognized and designated as a public agency and instrumentality of the state, for the purpose of assisting in the rehabilitation of individuals and families as self-sustaining human beings, and authorizing the various officers, boards, courts and governing bodies of the state now engaged in the relief of destitution and unemployment to cooperate with said corporation. To Relief and Social Welfare.

S. B. No. 221, by Melton. A Bill for an Act entitled: "An Act authorizing the State Land Board to enter into cooperative use agreements with the Secretary of the Interior or with State Cooperative Grazing Associations." To Public Lands.

Both the above bills were introduced without previous notice by unanimous consent of the Senate.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced in the Senate, read first and second time, and referred to committees:

H. B. No. 173, Taxation.
H. B. No. 308, Counties and Towns.
H. B. No. 488, Judiciary.
H. B. No. 493, Judiciary.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the report of the Joint Conference Committee of the House and

Senate on the Senate amendments to House Bill No. 64, was this day, on motion, adopted.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence:

S. B. No. 47.

S. B. No. 169.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Leavitt, duly seconded and carried, that the request of the Honorable Senate for the return of House Bill No. 338 be granted.

It was moved by Spiegel, duly seconded and carried, that the rules be suspended for the purpose of consideration of House Bill No. 366 and that same be placed on General Orders.

It was moved by Leavitt, duly seconded and carried, that Senate Bill No. 34 be passed on Third Reading for the day and all Constitutional Amendments passed by the House or Senate be referred to a Select Committee of Three, to be appointed from the Committee on Constitutional Amendments, to act with a like committee requested from the Senate, and report recommendations within twenty-four hours.

It was moved by Foor, duly seconded and carried, that the House reconsider its action on Senate Bill No. 39.

It was moved by Foor, duly seconded and carried, that Senate Bill No. 39 be re-referred to the Committee on Banks and Banking.

It was moved by Fowler, duly seconded and carried, that the House reconsider its action on House Bill No. 366.

It was moved by Fowler, duly seconded and carried, that the motion made in regard to House Bill No. 366 be referred to the Committee on Rules, Joint Rules and Order of Business.

THIRD READING OF SENATE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 25, introduced by Shannon, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Gordon, Gray, Green (Dawson), Hall, Hamilton, Haugan, Heavlin, Hedden, Heding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lovell, McCausland, McLaughlin, Manning, Masterson, Miller (Roosevelt), Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stev-

ens, Stromnes, Toomey, Watson, Whaley, White (Hill), Worden, York. Total 82.

Noes: Stimatz, Mr. Speaker. Total 2.

Absent and not voting: Ballard, Coultas, Fowler, Goodwin, Groene, (Fergus), Haight, Harlen, Harwood, Joffray, Lott, Metlen, Miller (Big Horn), Minette, Moss, O'Connor, Ormsbee, Smith, White (Judith Basin). Total 18.

The Speaker: Eighty-two have voted "aye"; two have voted "no"; Senate Bill No. 25 has been concurred in by the House.

Senate Bill No. 17, introduced by Larson, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Boone, Burris, Busch, Buttelman, Chamberlain, Conner, Cusick, Ecton, Emmett, Emmons, Ewing, Foor, Fowler, Green (Dawson), Hall, Hamilton, Haugan, Heavlin, Hedden, Hinerman, Johnson, Kathan, Kruse, Kuhl, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, McLaughlin, Manning, Metlen, Miller (Roosevelt), Nutting, O'Brien, Padbury, Peterson (Gallatin), Quigley, Scofield, Southmayd, Stimatz, Stromnes, Watson, Worden, York. Total 52.

Noes: Byrne, Chapman, Connors, Gordon, Gray, Kelly, Lasby, Leary, Masterson, Mitchell, Mulholland, Mundy, Neary, O'Byrne, Ormsbee, Parker, Petersen (Sheridan), Peterson (Vailey), Ritch, Rolph, Ryan, Sexton, Sherman, Spiegel, Whaley, Mr. Speaker. Total 26.

Absent and not voting: Ballard, Brennan, Coultas, Doe, Egan, Goodwin, Groene (Fergus), Haight, Harlen, Harwood, Holding, Joffray, Logan, Miller (Big Horn), Minette, Moss, O'Connor, Smith, Toomey, White (Judith Basin). Total 20.

The following passed their vote: Monahan, Nelson, Stevens, White (Hill). Total 4.

The Speaker: Fifty-two have voted "aye"; twenty-six have voted "no"; Senate Bill No. 17 has been concurred in by the House.

Senate Bill No. 27, introduced by Clifford, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Boone, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Ecton, Emmett, Emmons, Ewing, Foor, Gordon, Gray, Green (Dawson), Haight, Hamilton, Heavlin, Hedden, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, O'Brien, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 78.

Noes: Hall, Haugan, O'Byrne. Total 3.

Absent and not voting: Ballard, Brennan, Coultas, Doe, Egan, Fowler, Goodwin, Groene (Fergus), Harlen, Harwood, Joffray, Logan, Miller (Big Horn), Moss, O'Connor, Ritch, Rolph, Smith, Stevens, White (Judith Basin). Total 20.

The following passed his vote: Nutting. Total 1.

The Speaker: Seventy-eight have voted "aye"; three have voted "no"; Senate Bill No. 27 has been concurred in by the House.

Senate Bill No. 46, introduced by Meyer, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Ecton, Emmett, Emmons, Ewing, Foor, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kuhl, Lasby, Leary, Leavitt, Lemmer, Lippard, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Mitchell, Monahan, Neary, Nutting, O'Brien, O'Byrne, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 81.

Noes: Minette, Nelson. Total 2.

Absent and not voting: Ballard, Coultas, Doe, Egan, Fowler, Goodwin, Groene (Fergus), Harlen, Joffray, Kruse, Liggett, Logan, Miller (Big Horn), Moss, Mulholland, Mundy, O'Connor, Smith, White (Judith Basin). Total 19.

The Speaker: Eighty-one have voted "aye"; two have voted "no"; Senate Bill No. 46 has been concurred in by the House.

Senate Bill No. 48, introduced by Plank, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Bertsche, Boone, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Doe, Ecton, Emmett, Emmons, Ewing, Foor, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Lippard, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sherman, Smith, Southmayd, Spiegel, Stevens, Stromnes, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 82.

Noes: Sexton, Stimatz. Total 2.

Absent and not voting: Balgord, Ballard, Burris, Coultas, Egan, Fowler, Goodwin, Groene (Fergus), Harlen, Joffray, Liggett, Logan, Miller (Big Horn), Moss, O'Connor, Ritch, Toomey, White (Judith Basin). Total 18.

The Speaker: Eight-two have voted "aye"; two have voted "no"; Senate Bill No. 48 has been concurred in by the House.

Senate Bill No. 75, introduced by Oliver, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Ballard, Bertsche, Boone, Brennan, Busch, Buttelman, Chamberlain, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Gordon, Green (Dawson), Haight, Hall, Hamilton, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Lippard, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 79.

Noes: None.

Absent and not voting: Balgord, Burris, Byrne, Chapman, Conner, Connors, Coultas, Fowler, Goodwin, Gray, Groene (Fergus), Harlen, Joffray, Liggett, Logan, Miller (Big Horn), Minette, Moss, O'Byrne, O'Connor, Smith, Toomey, White (Judith Basin). Total 23.

The Speaker: Seventy-nine have voted "aye"; none have voted "no"; Senate Bill No. 75 has been concurred in by the House.

Senate Bill No. 76, introduced by Committee on Judiciary, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Boone, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Gray, Green (Dawson), Haight, Hall, Hamilton, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Lott, Lovell, McCausland, McLaughlin, Manning, Metlen, Miller (Roosevelt), Monahan, Mulholland, Mundy, Neary, Nutting, O'Byrne, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Rolph, Scofield, Smith, Southmayd, Spiegel, Stevens, Stromnes, Watson, Whaley, White (Hill), Worden. Total 71.

Noes: Gordon, Mitchell, Ritch, Ryan, Stimatz, York, Mr. Speaker. Total 7.

Absent and not voting: Ballard, Burris, Coultas, Fowler, Goodwin, Groene (Fergus), Harlen, Joffray, Leary, Liggett, Lippard, Logan, Masterson, Miller (Big Horn), Minette, Moss, Nelson, O'Brien, O'Connor, Quigley, Sexton, Sherman, Toomey, White (Judith Basin). Total 24.

The Speaker: Seventy-one have voted "aye"; seven have voted "no"; Senate Bill No. 76 has been concurred in by the House.

Senate Bill No. 78, introduced by Simmons, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harwood, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Byrne, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Scofield, Sexton, Sherman, Smith, Southmayd, Stevens, Stimatz, Toomey, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 78.

Noes: Ritch, Ryan. Total 2.

Absent and not voting: Burris, Conner, Coultas, Fowler, Goodwin, Groene (Fergus), Harlen, Haugan, Joffray, Kelly, Logan, Manning, Miller (Big Horn), Minette, Moss, O'Brien, O'Connor, Rolph, Spiegel, Stromnes, White (Judith Basin). Total 22.

The Speaker: Seventy-eight have voted "aye"; two have voted "no"; Senate Bill No. 78 has been concurred in by the House.

Senate Bill No. 117, introduced by Committee on Banks and Banking, was concurred in by the following vote.

Ayes: Acher, Ahlgreen, Balgord, Ballard, Bertsche, Brennan, Buttelman, Chamberlain, Chapman, Conner, Connors, Ecton, Egan, Emmons, Ew-

ing, Foor, Fowler, Gordon, Gray, Green (Dawson), Haight, Hamilton, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Lemmer, Liggett, Lippard, Lott, McCausland, Masterson, Metlen, Miller (Roosevelt), Mitchell, Monahan, Mulholland, Neary, Nutting, O'Brien, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Ryan, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Whaley, York, Mr. Speaker. Total 67.

Noes: Anderson, Doe, Hall, Lovell, Mundy, Ritch, Watson, White (Hill), Worden. Total 9.

Absent and not voting: Boone, Burris, Busch, Byrne, Coultas, Cusick, Emmett, Goodwin, Groene (Fergus), Harlen, Joffray, Leavitt, Logan, McLaughlin, Manning, Miller (Big Horn), Minette, Moss, Nelson, O'Byrne, O'Connor, Peterson (Valley), Rolph, Scofield, Smith, White (Judith Basin). Total 26.

The Speaker: Sixty-seven have voted "aye"; nine have voted "no"; Senate Bill No. 117 has been concurred in by the House.

Senate Bill No. 129, introduced by Committee on Banks and Banking, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Buttelman, Byrne, Chamberlain, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Foor, Green (Dawson), Hall, Harlen, Harwood, Haugan, Hedden, Leavitt, Lemmer, Lippard, Lott, Lovell, McCausland, McLaughlin, Manning, Metlen, Miller (Roosevelt), Nutting, Padbury, Parker, Peterson (Gallatin), Quigley, Scofield, Sherman, Smith, Southmayd, Stevens, Stimatz, Toomey, Watson, White (Hill), Mr. Speaker. Total 48.

Noes: Connors, Ewing, Gordon, Gray, Haight, Heavlin, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Lasby, Leary, Liggett, Masterson, Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, O'Brien, O'Byrne, Ormsbee, Petersen (Sheridan), Ritch, Rolph, Ryan, Sexton, Spiegel, Whaley, Worden, York. Total 34.

Absent and not voting: Boone, Burris, Busch, Chapman, Conner, Coultas, Fowler, Goodwin, Groene (Fergus), Hamilton, Joffray, Kuhl, Logan, Miller (Big Horn), Minette, Moss, O'Connor, Peterson (Valley), Stromnes, White (Judith Basin). Total 20.

The Speaker: Forty-eight have voted "aye"; thirty four have voted "no"; Senate Bill No. 129 has been concurred in by the House.

Senate Bill No. 167, introduced by Oliver, Blankenbaker and Murphy, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Buttelman, Chamberlain, Chapman, Conner, Connors, Cusick, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Gordon, Green (Dawson), Haight, Hamilton, Harlen, Harwood, Haugan, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Leavitt, Lemmer, Liggett, Lippard, Logan, Lovell, McCausland, McLaughlin, Manning, Miller (Roosevelt), Mitchell, Monahan, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Byrne, Ormsbee, Petersen (Sheridan), Peterson (Valley), Ritch, Rolph, Ryan, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Whaley, White (Hill), York, Mr. Speaker. Total 67.

Noes: Doe, Ecton, Gray, Hall, Lasby, Masterson, Nelson, Padbury, Peterson (Gallatin), Scofield, Smith, Watson, Worden. Total 13.

Absent and not voting: Ballard, Boone, Brennan, Burris, Busch, Byrne, Coultas, Goodwin, Groene (Fergus), Heavlin, Joffray, Leary, Lott, Metlen,

Miller (Big Horn), Minette, Moss, O'Connor, Parker, Quigley, Toomey, White (Judith Basin). Total 22.

The Speaker: Sixty-seven have voted "aye"; thirteen have voted "no"; Senate Bill No. 167 has been concurred in by the House.

It was moved by Byrne, duly seconded and carried, that Senate Bill No. 170 on Third Reading be passed for the day.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 96, entitled: "An Act providing for the consolidation of county offices, for the filing of petitions asking for such consolidation and prescribing and defining the powers and duties of Boards of County Commissioners in connection therewith," respectfully report as follows: That Senate Bill No. 96 be amended as follows: By striking out in line 21, the words and figures "ten per centum (10%)" and inserting in lieu thereof the words and figures "twenty-five per centum (25%)".

And by striking out in line 22, the words "qualified electors" and inserting in lieu thereof the word "freeholders."

BALLARD, Chairman.

On motion of Ballard, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 92, entitled: "An Act to amend Section 4874 of the Revised Codes of Montana of 1921, as amended by Chapter 82, Session Acts of the Eighteenth Legislative Assembly of 1923, and to repeal Sections 4873, 4875, 4877, 4878, 4880, 4881, 4882 and 4883 of the Revised Codes of Montana of 1921, relating to the authority of County Commissioners to fix the number and compensation of deputies and assistants to county officers," respectfully report as follows: That Senate Bill No. 92 be concurred in.

BALLARD, Chairman.

On motion of Ballard, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 172, entitled: "An Act to amend Section 1638 of the Revised Codes of Montana of 1921, relating to the decision of County Commissioners on a petition for establishing, changing or discontinuing highways, and designating the method of giving notice to interested parties," respectfully report as follows: That Senate Bill No. 172 be concurred in.

BALLARD, Chairman.

On motion of Ballard, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 87, entitled: "An Act to authorize the County Commissioners and the County Clerk to execute on behalf of the county a release of property described in any seed grain contract executed under the State Drought Relief Act of 1918, Sections 4640 to 4679, inclusive, Revised Codes of Montana, 1921, in cases where the recovery of the amount due under such contract has been barred by the Statute of Limitations, and repealing all Acts in conflict herewith," respectfully report as follows: That Senate Bill No. 87 be concurred in.

BALLARD, Chairman.

On motion of Ballard, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 88, entitled: "An Act to amend

Section 4592 of the Revised Codes of Montana of 1921, as amended by Section 3 of Chapter 133, of the Session Laws of the Twenty-first Legislative Assembly relating to rural improvement districts and providing for the maintenance and preservation of improvements within such improvement districts, by contract or otherwise, in such way or manner as the Board of County Commissioners shall deem suitable and proper," respectfully report as follows: That Senate Bill No. 88 be concurred in.

BALLARD, Chairman.

On motion of Ballard, report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 12, entitled: "A Memorial memorializing the Congress of the United States, and the Secretaries of Agriculture, and of the Interior, to conduct a thorough investigation into the complaints of ranchers residing in the Tom Minor Basin, with reference to the action of the National Park Service, and the Game Preservation Association, in withdrawing 43 square miles of range land from the use of said ranchers, and annexing such land to Yellowstone National Park," respectfully report as follows: That House Joint Memorial No. 12 do pass.

STEVENS, Chairman.

On motion of Stevens, report adopted.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 123, 262 and 427, do hereby report that said bills, together with copies thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:55 o'clock P. M., delivered to the Governor for his approval.

MONAHAN, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 64, 90, 135, 236, 237 and 267, do hereby report that said bills, together with copies thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 10:15 o'clock, A. M., delivered to the Governor for his approval.

MONAHAN, Chairman.

Without objection, report adopted.

The Speaker appointed the following from the Committee on Constitutional Amendments to act with a committee from the Senate on considering Constitutional Amendments passed by the House and the Senate: Manning, Lott and Chapman.

MOTIONS AND RESOLUTIONS

It was moved by O'Byrne, duly seconded and carried, that the House notify the Honorable Senate that a voting machine from Butte will be on display in one of the lobbies in the House for the edification of the members.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, requests the House for the return of House Bill No. 14 to the Senate for further consideration.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, requests the House for the return of Substitute House Bill No. 28 to the Senate.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that the request of the Honorable Senate for the return of Substitute House Bill No. 28 and House Bill No. 14 be granted.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 181, entitled: "An Act relating to the transportation to and from a school having more than one teacher, or in lieu thereof board and room or reimbursement of pupils who reside four (4) miles or more from such school and in the school district maintaining such school," respectfully report as follows: That Senate Bill No. 181 be not concurred in.

PETERSON of Valley, Chairman.

On motion of Peterson of Valley, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 128, entitled: "An Act designating the manner of selection, adoption, purchase, and exchange of textbooks for use in the public schools of Montana; prescribing rules and regulations covering the same; prescribing the powers and duties of school officers and boards in connection therewith; prescribing certain conditions to be complied with by persons, companies, and corporations offering such textbooks for adoption, sale, or exchange in the State of Montana; providing penalties for violations of this Act; and repealing Sections 1187 to 1196 inclusive, and Section 1200 of the Revised Codes of Montana of 1921; Chapter 25 of the Session Acts of the Nineteenth Legislative Assembly of Montana of 1925 and other Acts and parts of Acts in conflict herewith," respectfully report as follows: That Senate Bill No. 128 be concurred in.

PETERSON of Valley, Chairman.

On motion of Peterson of Valley, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 54, entitled: "An Act amending Section 835 of the Revised Codes of Montana of 1921, as amended by Chapter 146, Laws of 1929, relating to the meetings and expenses of the State Board of Education," respectfully report as follows: That Senate Bill No. 54 be concurred in.

PETERSON of Valley, Chairman.

On motion of Peterson of Valley, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 144, entitled: "An Act to authorize the erection of a journalism building for the Montana State University at Missoula, to authorize the procuring of funds for the construction of said

building from the United States, and to authorize the transfer to the United States of title to the ground upon which the said building is to be erected and to authorize the State Board of Education to enter into a contract with the United States or with any properly constituted person or body representing the United States, for the financing and erection of said building, and for compensation to the United States for the use of said building through the payment of rental, or otherwise, as may be required by the Laws of the United States, or regulations adopted thereunder, and generally to authorize the State Board of Education to enter into such contract or contracts with the United States as may be required by the United States for the procuring of the necessary money to pay for the construction of said building, and to enter into proper and appropriate contracts with contractors, builders, and others, for the erection of such building, and to provide that such contract or contracts shall not be, and never shall become, a charge against the State of Montana, or create a liability, debt or obligation of the State of Montana," respectfully report as follows: That Senate Bill No. 144 be concurred in.

PETERSON of Valley, Chairman.

On motion of Peterson of Valley, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and bills are herewith returned to the House:

H. B. No. 15, by McLaughlin.

Sub. H. B. No. 66, by Holding and Public Health Committee.

H. B. No. 74, by Leavitt.

H. B. No. 241, by Appropriations Committee, by request.

H. B. No. 291, by Kruse, by request.

H. B. No. 292, by Appropriations Committee.

H. B. No. 329, by Heavlin.

H. B. No. 344, by Foor.

H. B. No. 486, by Harwood, by request.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 336, by Leavitt, was this day read third time and concurred in as amended by the Senate, title and history agreed to, and is herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motions were this day made, duly seconded and carried:

On motion, H. B. No. 283 was taken from General File and referred to the Committee on Judiciary.

On motion, H. B. No. 372 was taken from Third Reading and referred to General File.

On motion, the President was requested to appoint a conference committee of the Senate to confer with a like committee from the House for consideration of Senate Sub. for Senate Sub. for H. B. No. 3; H. B. No. 218 and H. B. No. 289, all relating to liquor legislation; whereupon the President appointed Senators Arnold, Melton and Kalberg as such committee from the Senate.

On motion, the President was requested to appoint conference committees of the Senate to confer with like committees from the House for consideration of Senate amendments to House Bills Nos. 76, 140, 206 and 279; whereupon the President appointed the following Senators as such committees.

To confer on H. B. No. 140—Putnam, Arnold, MacGillvra.

To confer on H. B. No. 206—Church, Coburn, Thien.

To confer on H. B. No. 279—Simmons, Anderson, Shannon.

To confer on H. B. No. 76—Meyer, Armstrong, Campbell.

On motion, consideration of Sub. H. B. No. 204 was made a special order of business for 12:00 o'clock, noon, tomorrow.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that the messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That consideration of H. B. No. 54 be passed for the time.

That H. B. Nos. 136, 171, 296, 341 be concurred in.

That Sub. H. B. No. 255 be not concurred in.

That consideration of H. B. No. 433 be passed for the day.

That H. B. No. 474 be amended in Section 2 by striking out in line 3 the words, "and registered at the last general election."

In Section 2 by adding after the word "Montana" in line 3 the following: "for at least one year."

In Section 2 by adding in line 2 after the word "citizen" the following: "or has filed his intentions to become a citizen."

By adding a section thereto to be known as Section 6 to read as follows:

"This Act shall be in full force and effect from and after its passage and approval."

And as amended, be concurred in.

That consideration of H. B. No. 478 be passed for the time.

That H. J. R. Nos. 5 and 6 be concurred in.

That H. B. No. 372 be amended in Section 4 by striking out the Senate Committee of the Whole amendment of yesterday, which affected lines 6, 7, 8, 9 and 10 of said section, and restoring the section in said lines to read as originally.

In Section 8 by striking out the Committee of the Whole amendment of yesterday affecting said Section.

And as amended, be concurred in.

That H. B. No. 54 be amended in Section 2 by adding at the end of Section 2 the following: "Providing, however, that nothing in this Act will apply to a consumer or group of consumers acting cooperatively in obtaining produce for their own use only and not for resale."

And as amended, be concurred in.

That consideration of H. B. No. 478 be passed for the day.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Judiciary: Recommended Sub. H. B. No. 6 for non-concurrence.

Recommended that Sub. H. B. No. 11 be amended as per attached, and as amended, be concurred in.

Recommended that Sub. H. B. No. 204 be amended in Section 2 by inserting in line 20 of the original bill, being lines 6 and 7 of the printed bill, after the word "commissioners", the words: "such executions must in no event be held within the walls of the State Prison proper. It shall be the duty of the Sheriff of the county where the judgment was imposed to see that it is executed."

And as amended, be concurred in.

That H. B. No. 246 be amended in Section 2 by adding thereto the following: "Provided this Act shall apply only to irrigation districts that have been in operation and furnishing water for at least ten years, and this Act shall not change in any manner the distribution of liability and obligation of indebtedness between land owners within the district as fixed by existing law."

And as amended, be concurred in.

That H. B. No. 353 be concurred in.

Education: Recommended that H. B. No. 31 be amended in line 23, engrossed bill, line 7, printed bill, by striking out the words and figures, "Seventy-five Dollars (\$75.00)", and inserting in lieu thereof the words and figures, "Sixty-five Dollars (\$65.00)."

And as amended, be concurred in.

That H. B. No. 373 be concurred in.

That H. J. M. No. 9 be concurred in.

Public Morals: Recommended that H. B. No. 350 be amended by striking out the semi-colon after the first word "business" in line 33, page 2, Section 1, printed bill, and inserting a period in lieu thereof, and by striking out all the rest of Section 1; and as amended, be concurred in.

Agriculture: Recommended that H. B. No. 327 be concurred in.

Counties and Towns: That H. B. Nos. 472, 137, and 308 be not concurred in.

Fish and Game: That H. B. No. 448 be concurred in.

Stockgrowing and Grazing: That H. B. No. 397 be amended as per the attached, and as amended, be concurred in.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Senate Committee on Judiciary Amendments to Sub. H. B. No. 11:

Amend in the title by striking out in line 4 of the original bill, being line 2 of the printed bill, the comma after the word "court" and inserting in lieu thereof the word "and"; and amend the title further by striking out in line 5, original bill, being line 3 of the printed bill, the words "and Justices of the Peace"; and that Section 1 be amended by striking out in line 17 of the original bill, being line 3, printed bill, the words, "or a Justice of the Peace of any township in the state," and that Section 3 be amended by striking out in line 6, page 2, original bill, being line 7, printed bill, the words, "or townships"; and that Section 3 be further amended by striking out in line 12, page 2, original bill, being line 12, printed bill, the words, "or township"; that Section 3 be further amended by striking out the comma after the word "state" in line 32, page 2, original bill, being line 26, printed bill, and inserting in lieu thereof a period, and by striking out all of the remainder of Section 3, page 3, original, being lines 2, 3, 4 and 5 on page 3, original bill, and being lines 26, 27 and 28, printed bill; and that Section 4 be amended by striking out in lines 7 and 8, original bill, being lines 1 and 2, printed bill, the words, "and County Clerk and Recorder of the County"; and that Section 10 be amended by striking out in lines 25, and 26, page 5 and line 1, page 6, original bill, being lines 3 and 4, printed bill, the words, "and candidates receiving tie vote for Justice of the Peace shall appear and cast lots before the County Clerk and Recorder of the County"; and that Section 10 be further amended by striking out in lines 5 and 6, page 6, original bill, line 7, printed bill, the words "or the County Clerk and Recorder, as the case may be"; and that Section 11 be amended by striking out in lines 26, 27, 28 and 29, page 6, original bill, being lines 12, 13 and 14, printed bill, the words, "and the Board of County Commissioners of the county in case of justices of the peace, are authorized and empowered to certify to the County Clerk and Recorder"; and that Section 11 be further amended by striking out in line 3, page 7, original bill, being line 18, printed bill, the words, "or by the Board of County Commissioners"; and that Section 13 be amended by striking out in line 20, page 7, original bill, being line 2, printed bill, the comma after the first word "court" and inserting in lieu thereof the word "or" and by striking out in lines 20 and 21 of the original bill, being lines 2 and 3, printed bill, the words "or Justice of the Peace."

Senate Committee on Stockgrowing and Grazing amendments to H. B. No. 397:

Amend by striking out in Section 6, line 27, after the word "such" the word "annual."

Amend by striking out in Section 9, line 30, the words, "on the first day of January," and inserting in lieu thereof the words, "as of the first day of January."

Amend in Section 10, line 4, by striking the period after the word "Montana", inserting a comma and adding the following: "Save and except that an interested party may seek review of the action of the Montana Grazing Commission in a district court of the county where the dispute of controversy arose within thirty (30) days after such decision of the Montana Grazing Commission, and trial of the issue in such court may be had on the record made before the Montana Grazing Commission or de novo. The district court may affirm, reverse or nullify the decision of the Montana Grazing Commission. Appeals may be prosecuted from the judgment of the district court to the Supreme Court of Montana as in other cases."

Amend by adding Section 13, as follows: "If any clause, sentence, paragraph, subdivision, section or part of this Act shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such judgment shall not affect, impair, invalidate or confine the remainder of

this Act but shall be confined to the clause, sentence, paragraph, subdivision, section or part immediately involved and the remainder of this Act shall be given effect."

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Special Committee report was this day adopted by the Senate:

"Mr. President: We, your Special Committee appointed to look into the matter of Substitute House Bill No. 28 delivered to the Senate sometime on the fiftieth day close to twelve o'clock midnight, after examining several witnesses relative to Substitute House Bill No. 28, it is the consensus of opinion of your committee that Substitute House Bill No. 28 should be received by the Senate and acted on as other Bills.

(Signed) PAULINE, SPARLING, PARKIN."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by O'Connor, duly seconded and carried, that Senate Bill No. 4 be passed for the day.

It was moved by Leavitt, duly seconded and carried, that the Chief Clerk be instructed to make the same amendments in Senate Bill No. 111 in Section 2 and 3 that were made in the title and Section 1.

It was moved by Moss, duly seconded and carried, that Senate Bill No. 217 be passed for the day.

It was moved by Moss, duly seconded and carried, that the Speaker be authorized to appoint any and all conference committees requested to meet with like committees from the Senate.

It was moved by Minette, duly seconded and carried, that Senate Bill No. 165 be taken from the Committee on Petroleum, Oil and Gas and referred to the Committee on State Lands.

The following resolution, introduced by Pilgeram, was adopted on motion of Groene of Fergus:

Whereas, the Nation has become conscious of the necessity and desirability of Old Age Pension Legislation and assistance for those who find themselves in the twilight of life unable to earn a livelihood and care for their needs, and

Whereas, national legislation on this subject appears certain at this session of Congress, and

Whereas, twenty-eight states of the Union have adopted some type of Old Age Pension Legislation, and

Whereas, The first Old Age Pension Bill ever passed in the United States was introduced in this House of Representatives in the Eighteenth Legislative Assembly, and

Whereas, the first Old Age Pension Law ever adopted in the United States is Chapter 72 of the Session Laws of the Eighteenth Legislative Assembly of the State of Montana, and

Whereas, the author of that measure was Lester H. Loble, a member of that Legislative Assembly from Lewis and Clark County, and

Whereas, the State of Montana and the author of the bill have been officially recognized by the National Administration and Montana has been properly credited the distinction of being the first state in the Union to adopt Old Age Pension Legislation,

Now Therefore, Be It Resolved, by the House of Representatives of the Twenty-fourth Legislative Assembly that it is a matter of distinct pride and pleasure that the State of Montana has pioneered in this movement, and

Be It Further Resolved that this House of Representatives do honor and felicitate the Eighteenth Legislative Assembly of the State of Montana and Lester H. Loble of Lewis and Clark County, Montana for the inauguration of this humanitarian legislation,

Be It Further Resolved that the Historical Library of the State of Montana, in such manner as it sees fit, duly record in the records of this state this notable achievement so that the generations to come may be duly apprised of this contribution to the welfare of mankind."

It was moved by Busch, duly seconded and carried, that Senate Bill No. 170 be taken from Third Reading and placed on General Orders.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Helding of Missoula in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, arise to report progress and beg leave to sit again.

HELDING, Chairman.

On motion of Helding, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, requests the House for the return of House Bill No. 137 to the Senate for further consideration.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that the request of the Honorable Senate for the return of House Bill No. 137 be granted.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Helding of Missoula in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That Substitute Senate Bill No. 22 be concurred in.

HELDING, Chairman.

It was moved by Helding, duly seconded, that the report of the Committee of the Whole be adopted.

On Substitute motion, it was moved by Groene of Fergus, duly seconded, that the report of the Committee of the Whole be not adopted and a roll call be had and the "ayes" and "noes" be recorded on the Journal.

A call of the House was demanded by the required number.

On motion of Groene of Fergus further call of the House was dispensed with.

The Roll Call having been ordered, motion was lost by the following vote:

Ayes: Acher, Balgord, Bertsche, Boone, Busch, Buttelman, Byrne, Doe, Ecton, Egan, Emmett, Ewing, Gray, Groene (Fergus), Haight, Hall, Harwood, Haugan, Heavlin, Hedden, Joffray, Kelly, Kruse, Leavitt, Lemmer, Liggett, Logan, Lovell, McCausland, McLaughlin, Metlen, Minette, Moss, Mundy, Nelson, Nutting, O'Connor, Padbury, Parker, Peterson (Gallatin), Smith, Southmayd, Stevens, Stromnes, Toomey, Watson, White (Hill), Worden. Total 48.

Noes: Ahlgreen, Anderson, Ballard, Brennan, Burris, Chamberlain, Chapman, Conner, Connors, Cusick, Emmons, Foor, Fowler, Gordon, Green (Dawson), Hamilton, Harlen, Holding, Hinerman, Johnson, Kathan, Kuhl, Lasby, Lippard, Lott, Manning, Masterson, Miller (Roosevelt), Mitchell, Monahan, Mulholland, Neary, O'Brien, O'Byrne, Ormsbee, Petersen (Sheridan), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Spiegel, Stimatz, Whaley, York, Mr. Speaker. Total 49.

Absent and not voting: Coultas, Goodwin, Leary, Miller (Big Horn), White (Judith Basin). Total 5.

The Speaker: Forty-eight have voted "aye," forty-nine have voted "no"; the motion is lost.

Whereupon, report of the Committee of the Whole was adopted.

MOTIONS AND RESOLUTIONS

It was moved by O'Byrne, duly seconded, that Substitute Senate Bill No. 22 be placed on Third Reading.

On substitute motion, it was moved by Metlen, duly seconded and carried, that the House adjourn until 10:00 o'clock A. M., on Friday, March 1, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:
JOHN J. JEWELL, Chief Clerk.

FIFTY-FOURTH DAY

House of Representatives,
Helena, Montana. March 1, 1935.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.
Mr. Speaker in the Chair.
Invocation by the Chaplain.

A quorum for the transaction of business was present. Hamilton and Neary were excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the fifty-third legislative day, find the same to be correct.

QUIGLEY, Chairman.
Without objection, report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills as correctly engrossed: Substitute House Bill No. 28.

EWING, Chairman.

Without objection, report adopted.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Conference Committee, having had under consideration Senate Amendments to House Bill No. 63, recommend that the Senate recede from its amendment which adds after the word "judgment" in line 5 of the printed bill, the following phrase: "and the making of any finance charge or bonus in addition to interest shall constitute usury and a misdemeanor"; but that the bill shall be amended as follows:

Amend the title thereto by adding the following: "Making it unlawful for parties to contract for a rate of interest higher than eight per cent, making bonus or finance charges illegal, describing the method by which monthly payment loans may be legally made and fixing penalties for the violation of this Act";

Amend Section 1 of the printed bill, by adding after the word "judgment" the following words: "but the charging of any bonus or finance charge in addition to interest shall be unlawful and shall constitute usury. Provided, however, that nothing in this Act shall be construed to prevent or make it unlawful for any person or corporation, when goods or merchandise are sold or refinanced, or money is loaned on the monthly payment plan, for the person or corporation financing such paper or making such loan to not to exceed 8 per cent per annum, dividing the total into an equal number of monthly payments over the period for which the loan is to run and requiring payments so determined to be paid by the borrower."

And further amend the printed bill by adding a new section, to be known as Section 2, as follows: "The violation of any of the provisions of this Act shall be a misdemeanor"; and by renumbering the following sections accordingly.

HAIGHT,
FOWLER,

For the House.

MEYER,
HOLLENBACK,
COTTER,

For the Senate.

STATEMENT

By this report the Senate Committee of the Whole amendment is retained in the bill but a proviso is added defining a bonus or finance charge and providing that on payments paid on a monthly payment plan, interest may be charged on the full amount for the total time the payments are to run. The title has been amended to conform to the amendments.

It was moved by Haight, duly seconded, that the report of the Conference Committee be adopted and same was adopted by the following vote:

Ayes: Ahlgreen, Balgord, Ballard, Conner, Cusick, Emmons, Goodwin, Gordon, Green (Dawson), Haight, Haugan, Heavlin, Holding, Hinerman, Johnson, Kelly, Kuhl, Lasby, Leary, Leavitt, Lippard, Lovell, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Moss, Mulholland, Neary, Nutting, O'Byrne, O'Connor, Ormsbee, Petersen (Sheridan), Peterson (Val-

ley), Ritch, Ryan, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Watson, Whaley, White (Judith Basin), White (Hill), York. Total 47.

Noes: Acher, Bertsche, Boone, Buttelman, Byrne, Chamberlain, Coultas, Ecton, Egan, Foor, Groene (Fergus), Hall, Hedden, Joffray, Kathan, Liggett, Logan, McCausland, McLaughlin, Manning, Metlen, Minette, Mundy, Nelson, Padbury, Parker, Peterson (Gallatin), Quigley, Scofield, Smith, Toomey, Worden, Mr. Speaker. Total 33.

Absent and not voting: Anderson, Brennan, Burris, Busch, Chapman, Connors, Doe, Emmett, Ewing, Fowler, Gray, Hamilton, Harlen, Harwood, Kruse, Lott, O'Brien, Rolph, Sexton, Stromnes. Total 20.

The following passed their vote: Lemmer, Monahan. Total 2.

The Speaker: Forty-seven have voted "aye," thirty-three have voted "no"; Conference Committee report on Senate amendments to House Bill No. 63 has been adopted by the House.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 133, entitled: "An Act regulating the bank and priority of liens for general taxes and assessments for local improvements in cities and towns," respectfully report as follows: That Senate Bill No. 133 be not concurred in.

BALLARD, Chairman.

It was moved by Ballard, that the report be adopted.

On substitute motion, it was moved by Toomey, duly seconded and carried, that Senate Bill No. 133 be re-referred to the Committee on Judiciary.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration Senate Bill No. 186, entitled: "An Act to amend Sections 2382 and 2383 of the Revised Codes of Montana of 1921, as amended by Chapter 150 of the Laws of 1923 and by Chapter 186 of the Laws of 1925 and by Initiative Measure No. 31, Laws of 1927, and as amended by Chapter 6 of the Session Laws of 1931; and also to amend Section 3, Chapter 19 of the Laws of 1927; being Sections 2396.2 and 2396.3 respectively, of the supplement to the Revised Codes of Montana 1923-1927, as amended by Chapter 92 of the Laws of 1929, and as amended by Chapter 6 of the Session Laws of 1931, requiring all persons, co-partnerships, firms, associations, joint stock companies, syndicates and corporations engaged in, or carrying on the business in this state of selling, handling, or using gasoline, to pay to the State Board of Equalization certain license taxes for engaging in, and carrying on such business in this state; fixing the amount of such license taxes and providing a method for the assessment and collection thereof," respectfully report as follows: That Senate Bill No. 186 be recommended for non-concurrence.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration Senate Bill No. 215, entitled: "An Act to amend Section 18 of Chapter 46 of the Laws of the Extraordinary Session of the Twenty-third Legislative Assembly, relating to the licensing and regulation of the manufacture, sale and distribution of beer and other similar fermented beverages, and repealing all Acts and parts of Acts in conflict therewith," respectfully report as follows: That Senate Bill No. 215 be not concurred in.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration Substitute for Senate Bill No. 18, entitled: "An Emergency Act relating to taxation, providing for the payment in installments of taxes and assessments delinquent and unpaid on December 1, 1934, and repealing Chapter 45 of the Acts of the Extraordinary Session of the Twenty-third Legislative Assembly of Montana and all other Acts and parts of Acts in conflict herewith," respectfully report as follows: That Substitute for Senate Bill No. 18 be amended as follows: On page 3, line 12 of the original bill by striking out the "semi-colon" after the word "Act" and inserting in lieu thereof, a "period" and by striking out the remainder of Section 4 on lines 12, 13, 14, 15, 16 and 17.

On page 5, line 15 of the original bill by inserting after the word "taxpayers" the following words, "at their last known address," and as so amended, be concurred in.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration Senate Bill No. 58, entitled: "An Act to amend Section 1 of Chapter 19 of the Session Acts of the Twentieth Legislative Assembly of Montana, of 1927, as amended by Section 1 of Chapter 170 of the Session Acts of the Twenty-third Legislative Assembly of 1933, defining the terms used in the Act requiring the payment of license taxes by gasoline dealers," respectfully report as follows: That Senate Bill No. 58 be recommended for concurrence.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Public Utilities and State Commissions, having had under consideration Senate Bill No. 151, entitled: "An Act creating the electrification authority of Montana for the purpose of promoting and encouraging the fullest possible use of electric energy in the state by making electric energy available to inhabitants of the state at the lowest cost consistent with sound economy and prudent management; authorizing the authority to buy, sell and distribute electric energy and to construct or otherwise acquire a system or systems for the transmission and distribution of electric energy to carry out the purpose of this Act; providing for the rights, powers and duties of the authority; authorizing and regulating the issuance of bonds by the authority; providing for the payment of such bonds and the rights of the holders thereof; and declaring an emergency," respectfully report as follows: That Senate Bill No. 151 be concurred in.

ORMSBEE, Chairman.

On motion of Ormsbee, report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 49, entitled: "An Act relating to the closed season for deer, elk, and antelope in Fallon, Prairie and Carter Counties, State of Montana, providing for the power and duties of the Montana Fish and Game Commission relating to the provisions of this Act; making the violation of this Act a misdemeanor and providing a penalty for such violation, and repealing all Acts and parts of Acts in conflict herewith," respectfully report that Senate Bill No. 49 be not concurred in.

LEMMER, Chairman.

On motion of Lemmer, report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 86, entitled: "An Act to amend Section 1 of Chapter Fifty-two (52) of the Session Laws of Montana, Twenty-

first Session, 1921, relating to an Act to establish a game preserve in a portion of Judith Basin County, for the protection of game, animals and birds, to be known as Judith River Game and Bird Preserve, and providing penalties for the killing, hunting, trapping and pursuing any game animals or birds in such preserve, or the carrying of firearms therein," respectfully report that Senate Bill No. 86 be concurred in.

LEMMER, Chairman.

On motion of Lemmer, report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Joint Memorial No. 5, entitled: "Requesting that the Department of Agriculture of the United States be respectfully urged to withdraw the orders whereby it seeks to take to itself as against the rights of the State of Montana and its State Fish and Game Department the absolute and exclusive control of all fish, game and fur-bearing animals lying within the boundaries of National Forests," respectfully report as follows: That Senate Joint Memorial No. 5 be concurred in.

LEMMER, Chairman.

On motion of Lemmer, report adopted.

Mr. Speaker: We, your Committee on Petroleum, Oil and Gas, having had under consideration Senate Bill No. 52, entitled: "An Act to amend Section One (1) of Chapter One Hundred and Fifty-seven (157) of the Session Laws of Montana for 1933, relating to the gasoline dealers' license tax and requiring such dealers to file with the State Board of Equalization a bond conditioned for the payment of gasoline license taxes," respectfully report as follows: That Senate Bill No. 52 be not concurred in.

MINETTE, Chairman.

On motion of Minette, report adopted.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 15, 74, 291, 329, 344, 486 and Substitute House Bill No. 66.

MONAHAN, Chairman.

Without objection, report adopted.

I have read House Bill No. 15, as reported from the Enrolling Committee and certify same to be correct.

McLAUGHLIN.

I have read House Bill No. 66, as reported from the Enrolling Committee and certify same to be correct.

HELDING.

I have read House Bill No. 74, as reported from the Enrolling Committee and certify same to be correct.

LEAVITT.

I have read House Bill No. 291, as reported from the Enrolling Committee and certify same to be correct.

KRUSE.

I have read House Bill No. 344, as reported from the Enrolling Committee and certify same to be correct.

FOOR.

I have read House Bill No. 486, as reported from the Enrolling Committee and certify same to be correct.

HARWOOD.

I have read House Bill No. 329, as reported from the Enrolling Committee and certify same to be correct.

HEAVLIN.

The Speaker announced he was about to sign House Bill No. 15, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 74, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 291, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 329, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 344, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 486, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Substitute House Bill No. 66, whereupon, the Clerk read the title of the same and the Speaker did sign in the presence of the House.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

The Speaker,
House of Representatives,
Helena.

I have the honor to advise you that I have this day approved House Bill No. 124, entitled: "An Act relating to the tenure of leases of state lands for grazing purposes, heretofore issued by virtue of the provisions of Chapter 42 of the Laws of 1933."

F. H. COONEY, Governor.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Senate, and bills are herewith returned to the House:

H. B. No. 54, by Committee on Horticulture.

H. B. No. 392, by Chapman, et al.

Sub. H. B. No. 211, by Committee on Appropriations.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and bills are herewith returned to the House:

H. B. No. 171, by Lemmer.

H. B. No. 296, by Kruse, Toomey and Harwood.

H. B. No. 341, by Leavitt.

H. J. R. No. 5, by Sexton.

H. J. R. No. 6, by Lippard and Gordon.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 28 was this day introduced in the Senate, read first and second time and referred to the Committee on Finance and Claims.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended by the Senate, title and history agreed to, and bills are herewith returned to the House:

H. B. No. 136, by Groene of Fergus.

H. B. No. 372, by Nutting, by request.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day gave notice that he was about to sign and did sign in open session:

H. B. No. 123.

H. B. No. 262.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that further messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day gave notice that he was about to sign and did sign in open session:

House Bills Nos. 64, 90, 135, 236, 237 and 267.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motions were this day made, duly seconded and carried:

That H. B. No. 397 be taken from General File and referred to the Committee on Stockgrowing and Grazing.

That H. B. No. 14 be recalled from the House; whereupon vote was reconsidered by which H. B. No. 14 failed of concurrence on Third Reading yesterday, and on motion, H. B. No. 14 was taken from Third Reading and referred to General File. On motion later, H. B. No. 14 was taken from General File and referred to the Committee on Constitutional Amendments.

That H. B. No. 474 be taken from Third Reading and referred to the Committee on Judiciary.

That H. B. No. 338 be referred to the Judiciary Committee.

That H. B. No. 478 be taken from General File and referred to the Committee on Stockgrowing and Grazing.

That Sub. H. B. No. 204 be made a Special Order of Business for March 1st at 12:00 o'clock, noon.

That H. B. No. 232 be referred to General File.

That H. B. No. 137 be recalled from the House; and on motion, H. B. No. 137 was referred to the Committee on Counties and Towns.

That H. B. No. 205 be taken from the Judiciary Committee and referred to the Committee on Constitutional Amendments.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Finance and Claims:

That H. B. Nos. 211 and 392 be not concurred in.

That H. B. Nos. 536, 538, 317, 537, 535 and 333 be concurred in.

That H. B. No. 539 be amended in Section 1, lines 10 and 11, printed bill, by striking out the words and figures, "Fifty-five Thousand Dollars (\$55,000.00)," and inserting in lieu thereof "Forty-eight Thousand Dollars (\$48,000.00)";

And in Section 1, line 14, printed bill, by striking out the words and figures, "Thirty-five Thousand Dollars (\$35,000.00)" and inserting in lieu thereof, "Twenty-five Thousand Dollars (\$25,000.00)," and as amended, be concurred in.

Judiciary: That H. B. Nos. 220, 224, 322, and 429 be concurred in.

Taxation: That House Bill No. 497 be concurred in.

Dairies and Dairying: That Sub. H. B. No. 232 be reported without recommendation.

Public Lands:

That H. B. No. 316 be concurred in.

That House Memorial No. 12 be concurred in.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That H. B. No. 31 be concurred in.

That H. B. No. 246 be concurred in.

That H. B. No. 327 be concurred in.

That H. B. No. 350 be amended by striking out in Section 3, lines 1 and 2, printed bill, the following: "social, fraternal or charitable organizations and all private homes," and adding after the word "religious" in line 1, the word "organizations."

Be amended in Section 1 by adding at the end of the Section the following: "Provided, however, that cities shall be empowered by this Act to pass ordinances and prosecute all misdemeanors set forth in this Act," and as amended, be concurred in.

That H. B. No. 353 be amended in the title by striking out in line 4, printed bill, the figures and words, "2097 through 2110 inclusive," and in Section 1 by striking out in line 3, printed bill, the figures and words, "2097 through 2110 inclusive," and as amended, be concurred in.

That H. B. No. 433 be concurred in.

That consideration of Sub. H. B. No. 204, which bill was on motion made a Special Order of Business for this time, be passed for the day.

That H. B. No. 448 be concurred in.

That consideration of H. B. No. 478 be passed for the day.

That H. J. M. No. 9 be concurred in.

That consideration of Sub. H. B. No. 11 be passed for the day.

That H. B. No. 373 be concurred in.

That H. J. M. No. 12, H. B. Nos. 333, 535, 537, Sub. 317, 538, 536, 322, 497, 220 and 429 be concurred in.

That consideration of H. B. No. 224 be passed for the day.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Rolph, duly seconded, that Substitute Senate Bill No. 22 be taken from Third Reading and re-referred to the Committee on Insurance. After considerable discussion, the previous question was moved by Fowler and carried. Whereupon, the motion by Rolph was put and carried.

It was moved by Fowler, duly seconded and carried, that the House reconsider its action in approving the Conference Committee report on House Bill No. 63.

It was moved by Fowler, duly seconded and carried, that Senate amendments to House Bill No. 63 be re-referred to the same Conference Committee.

Rolph, Speaker Pro Tem in the Chair.

THIRD READING OF SENATE BILLS

The following, having been read three several times, history and title agreed to were disposed of as follows:

Senate Bill No. 174, introduced by Carroll, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Coultas, Cusick, Ecton, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Green (Dawson), Groene (Fergus), Hall, Haugan, Hedden, Hinerman, Joffray, Johnson, Kathan, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Mulholland, Mundy, Neary, O'Brien, O'Byrne, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Galatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Spiegel, Stevens, Watson, Whaley, Worden, York, Mr. Speaker. Total 73.

Noes: Doe, Haight, Nelson, Nutting, Padbury, Smith, Southmayd, Stimatz, White (Judith Basin). Total 9.

Absent and not voting: Boone, Conner, Egan, Fowler, Gray, Hamilton, Harlen, Harwood, Heavlin, Kelly, Leary, McLaughlin, Metlen, Minette, Monahan, Moss, Stromnes, Toomey, White (Hill). Total 19.

The following passed his vote: Holding.

The Speaker: Seventy-three have voted "aye," nine have voted "no"; Senate Bill No. 174 has been concurred in by the House.

Senate Substitute for Senate Bill No. 16, introduced by the Committee on Fairs and Expositions, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Coultas, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Haight, Hall, Harlen, Haugan, Hedden, Holding, Hinerman, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Padbury, Parker, Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sherman, Smith, Spiegel, Stevens, Whaley, White (Judith Basin), White (Hill), Worden, York. Total 76.

Noes: Doe, Sexton, Stimatz, Toomey. Total 4.

Absent and not voting: Anderson, Byrne, Connors, Fowler, Groene (Fergus), Hamilton, Harwood, Heavlin, Joffray, Kelly, Logan, McLaughlin, Metlen, Minette, Monahan, Moss, Ormsbee, Petersen (Sheridan), Southmayd, Stromnes, Watson, Mr. Speaker. Total 22.

The Speaker: Seventy-six have voted "aye," four have voted "no"; Senate Substitute for Senate Bill No. 16 was concurred in by the House.

Senate Bill No. 95, introduced by Blankenbaker, was concurred in by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Hall, Harwood, Haugan, Hedden, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Ryan, Scofield, Sexton, Sherman, Smith, Stevens, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 77.

Noes: Haight, Holding, Hinerman, Peterson (Valley), Worden. Total 5.

Absent and not voting: Acher, Byrne, Fowler, Green (Dawson), Groene (Fergus), Hamilton, Harlen, Heavlin, Joffray, Leary, Logan, Monahan, Moss, O'Byrne, Ormsbee, Ritch, Rolph, Southmayd, Spiegel, Stromnes. Total 20.

The Speaker: Seventy-seven have voted "aye"; five have voted "no"; Senate Bill No. 95 has been concurred in by the House.

Substitute Senate Bill No. 102, introduced by the Committee on Labor and Capital, was concurred in by the following vote:

Ayes: Ahlgren, Anderson, Balgord, Boone, Busch, Buttelman, Chamberlain, Conner, Coultas, Cusick, Doe, Gordon, Harlen, Harwood, Holding, Hinerman, Kathan, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, Manning, Masterson, Metlen, Miller (Big Horn), Mitchell, Mulholland, Neary, O'Brien, O'Byrne, O'Connor, Petersen (Sheridan), Peterson (Gallatin), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Spiegel, Stimatz, Toomey, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 52.

Noes: Brennan, Burris, Egan, Emmons, Ewing, Foor, Goodwin, Gray, Green (Dawson), Hall, Haugan, Hedden, Johnson, Kelly, Lovell, McCausland, McLaughlin, Miller (Roosevelt), Minette, Mundy, Nelson, Nutting, Padbury, Parker, Peterson (Valley), Smith, Stevens, Watson. Total 28.

Absent and not voting: Acher, Ballard, Bertsche, Byrne, Chapman, Connors, Ecton, Emmett, Fowler, Groene (Fergus), Haight, Hamilton, Heavlin, Joffray, Kruse, Logan, Monahan, Moss, Ormsbee, Ritch, Southmayd, Stromnes. Total 22.

The Speaker: Fifty-two have voted "aye"; twenty-eight have voted "no"; Substitute Senate Bill No. 102 has been concurred in by the House.

Senate Bill No. 50, introduced by Pauline and Holt, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Ballard, Bertsche, Boone, Brennan, Busch, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Ewing, Foor, Goodwin, Gordon, Haight, Hall, Harlen, Harwood, Haugan, Hedden, Holding, Hinerman, Kathan, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Monahan, Mulholland, Mundy, Nutting, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Scofield, Sexton, Southmayd, Stevens, Whaley, White (Judith Basin), White (Hill), York. Total 63.

Noes: Balgord, Burris, Chamberlain, Emmons, Gray, Green (Dawson), Johnson, Kelly, Lott, Lovell, Mitchell, Neary, Nelson, O'Brien, O'Byrne, Rolph, Ryan, Sherman, Spiegel, Stimatz, Watson, Worden, Mr. Speaker. Total 23.

Absent and not voting: Buttelman, Byrne, Chapman, Conner, Connors, Fowler, Groene (Fergus), Hamilton, Heavlin, Logan, Moss, Ormsbee, Ritch, Smith, Stromnes, Toomey. Total 16.

The Speaker: Sixty-three have voted "aye"; twenty three have voted "no"; Senate Bill No. 50 has been concurred in by the House.

Senate Bill No. 111, introduced by the Committee on State Boards and Offices, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chapman, Conner, Connors, Coultas, Cusick, Ecton, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Haight, Hall, Harlen, Harwood, Haugan, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, McLaughlin, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 84.

Noes: Chamberlain, Toomey. Total 2.

Absent and not voting: Byrne, Doe, Egan, Fowler, Groene (Fergus), Hamilton, Heavlin, Logan, Manning, Metlen, Moss, Nelson, Ormsbee, Ritch, Ryan, Stromnes. Total 16.

The Speaker: Eighty-four have voted "aye"; two have voted "no"; Senate Bill No. 111 has been concurred in by the House.

Mr. Speaker in the Chair.

The Speaker announced he was about to sign Senate Bill No. 46, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 78, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 75, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 117, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 25, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 167, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 48, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 17, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 129, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 76, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 27, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Water Conservation and Flood Control, having had under consideration Senate Bill No. 109, entitled: "An Act validating, ratifying, approving and confirming elections heretofore held by public bodies of the State of Montana authorizing the creation of indebtedness and the issuance of bonds to finance public works projects," respectfully report as follows: That Senate Bill No. 109 be concurred in.

MANNING, Chairman.

On motion of Manning, report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Joint Memorial No. 13, beg leave to report that the same has this date been returned from the printer correctly printed.

McCAUSLAND, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Water Conservation and Flood Control, having had under consideration Senate Bill No. 110, entitled: "An

Act validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore issued by public bodies of this state for public works projects," respectfully report as follows: That Senate Bill No. 110, be concurred in.

MANNING, Chairman.

On motion of Manning, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion, duly seconded and carried, the Senate this day appointed the Committee on Constitutional Amendments, consisting of Senators, Carroll, Plumer and Lamp, to meet with a like committee of three from the House Committee on Constitutional Amendments for consideration of all bills pending relative to constitutional amendments.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by O'Connor, duly seconded and carried, that Senate Bill No. 4 be passed for the day.

It was moved by Stevens, duly seconded and carried, that the Speaker appoint a committee of three to invite the Senate to make arrangements for memorial services on the second anniversary of the death of the Honorable Thomas J. Walsh, Sunday, March 3rd, 1935.

The following committee was appointed under the above motion: Harlen, Blaine, Stevens of Cascade and Coultas of Ravalli.

It was moved by Minette, duly seconded and carried, that Senate Bill No. 217 be taken from General Orders and re-referred to the Committee on Petroleum, Oil and Gas.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Joint Committee on Constitutional Amendments, having met, pursuant to the resolutions of your respective bodies on February 28th, for the purpose of considering the various bills now pending providing for constitutional amendments, do report as follows:

That providing that the same are all duly passed by both bodies as provided by law, we recommend that the following described measures shall be placed upon the ballot for the next General Election:

S. B. No. 34, Consolidation of Counties.

H. B. No. 2, Certain Exemptions from Taxation.

H. B. No. 14, Eight Hour Day.

For the Senate:

CARROLL, Chairman.

For the House:

MANNING, Chairman.

On motion of Manning, report adopted.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole, for consideration of General Orders, under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Masterson of Custer in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That Senate Amendments to House Bill No. 136 be concurred in.

That Senate Amendments to House Bill No. 372 be concurred in.

That Senate Bill No. 164 be not concurred in.

That Senate Bill No. 161 be concurred in.

That Senate Bill No. 214 be concurred in.

That Senate Bill No. 83 be not concurred in.

That Senate Bill No. 170 be passed temporarily.

That Senate Bill No. 207 be passed for the day.

That Senate Bill No. 64 be not concurred in.

That Senate Bill No. 77 be concurred in.

That Senate Bill No. 2 be passed temporarily.

That Substitute Senate Bill No. 92 be passed temporarily.

That Senate Bill No. 172 be concurred in.

That Senate Bill No. 87 be passed temporarily.

That Senate Bill No. 88 be concurred in.

MASTERSON, Chairman.

It was moved by Masterson, duly seconded, that the report be adopted.

On substitute motion, it was moved by Groene of Fergus, duly seconded and carried, that Senate Bill No. 64 be segregated from the report of the Committee of the Whole.

After some debate, the previous question was moved by Haight and carried.

A Roll Call was ordered and the motion was lost by the following vote:

Ayes: Ahlgreen, Ballard, Boone, Burris, Chamberlain, Chapman, Doe, Foor, Groene (Fergus), Heavlin, Joffray, Kelly, Lemmer, Lovell, Minette, Mitchell, Nelson, O'Connor, Sexton, Smith, Southmayd, Spiegel, Toomey, Worden. Total 24.

Noes: Acher, Anderson, Balgord, Brennan, Busch, Buttelman, Byrne, Conner, Connors, Coultas, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Haugan, Hedden, Holding, Hinerman, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Leavitt, Liggett, Lippard, Lott, McCausland, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Monahan, Moss, Mulholland, Mundy, Nutting, O'Brien, O'Byrne, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sherman, Stevens, Stimatz, Stromnes, Watson, Whaley, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 72.

Absent and not voting: Bertsche, Harlen, Harwood, Logan, Metlen, Neary. Total 6.

The Speaker: Twenty-four have voted "aye"; seventy-two have voted "no"; the motion is lost.

Whereupon, the motion to adopt the report of the Committee of the Whole was adopted.

REPORTS OF SELECT COMMITTEES

We, your Special Committee, appointed by authority of the Resolution introduced by Fowler on the 36th legislative day, authorized to inquire into the political activities of public utilities and other corporations, etc., beg leave to make the following preliminary report and partial recommendations:

Your committee held a hearing on the evening of February 28th, at Room 4, Placer Hotel. Testimony was given by the following witnesses: W. A. Campbell, A. E. Wilkinson and Dan M. Kelly.

The witness Campbell testified that 342 shares of stock in the Helena Independent are owned by one Dickey, business manager of the Butte Daily Post and that this stock, together with the stock held by the said Campbell, represent a complete controlling interest in the Helena Independent; that the witness Campbell testified that the said Dickey invested in the capital stock of said paper in excess of \$43,000 for the purchase of this stock; that losses incurred by the paper are met by borrowing funds from the said Dickey and that these losses and such borrowings represent a total of more than \$200,000, yet no evidence was introduced to show that the said Dickey is a person of any material responsibility on his own part, leading to the inference that large sums of money must be furnished from some source unknown at the present time to your committee, but in view of the fact that the testimony of the said Kelly shows the said Dickey to be business manager of the Butte Daily Post and that the said Butte Daily Post is controlled by the Anaconda Copper Mining Company, the situation leads to the inference that the investment in the stock of the Helena Independent and the large sums of money furnished to care for the losses of the said paper may eventually be traced to certain large corporations and perhaps public utilities in the state, and that said sums may be found eventually to have been charged into the operating expense of said utilities and thus used to increase rate bases upon which utility rates are fixed and so charged back to the consumers or patrons of the said companies.

The witness Kelly testified that, in his opinion, a public utility is justified in spending sums of money for the purpose of maintaining lobbyists at the legislature and that they would be justified in spending any amount of money necessary to defeat such public utility bills as have been introduced in this session of the legislature, and charge it back to the consumer.

This evidence leads your committee to believe that if the investigation is pursued diligently, matters of great and fundamental interest and importance to the people of the state can be developed. Your committee, however, wishes to call the attention of the House to the fact that each witness called to testify at the hearing held as hereinabove mentioned, represented that he had retained the said Dan M. Kelley, Chief Counsel for the Anaconda Copper Mining Company and the Montana Power Company, as personal counsel for him at the said hearing, and that Attorney Kelly, in the guise of representing the witnesses, objected continually to the witnesses answering the questions put to the witnesses by the attorney for the committee and by the members of the committee, as evidenced by the following testimony:

EXAMINATION OF THE WITNESS WILKINSON

By Mr. Freebourn:

Q. How do you do your lobbying?

Mr. Kelly: I object to that. It is entirely outside the purview of this committee and upon the further ground that this witness, or any other citizen of the State of Montana, has a perfect right to come to Helena and interview legislators and protect the interests of themselves and their employers and the interests which they represent, and they don't make any apologies for it. I instruct the witness he doesn't need to answer if he doesn't want to.

The Witness: On advice of counsel, I refuse to answer.

Q. Who else is lobbying here with you from the Anaconda Copper Mining Company?

Mr. Kelly: The same objection. I will advise the witness he doesn't have to answer that if he doesn't want to.

A. I will not answer for the same reason as before.

Q. Who is engaged in lobbying here for the Montana Power Company?

A. I will give the same reason as before and refuse to answer.

Q. Did you discuss with Mr. Kelly, before coming here, what answer you would make where you didn't care to answer.

Mr. Kelly: I make the same objection.

A. I will make the same answer. I refuse to answer.

Q. Of course, you are not afraid of incriminating yourself?

A. Not at all.

Q. And you know that under the statute that you cannot be prosecuted for any statements that you make here?

A. It doesn't make any difference to me. I know I am within my rights when I refuse to answer.

Q. What object have you in concealing your activities in and about this legislature?

A. I understand it is not within the purview of the committee to investigate that.

Q. You just don't want to give the committee representing the legislature the facts, do you?

A. I haven't any objection to giving the facts.

Q. Why don't you, then?

A. Because I feel you have no right to investigate our private activities.

Q. You desire to conceal from the legislature of the State of Montana, as represented by this committee, your activities at this session of this legislature?

Mr. Kelly: I object to that as an unfair question for the reason the witness has not expressed any desire to answer the question.

Q. Why don't he answer the question, Mr. Kelly?

Mr. Kelly: Because he doesn't have to.

Q. Why conceal anything if he is on the square and honest, if he is representing the Anaconda Copper Mining Company as against the State of Montana.

Mr. Kelly: He don't have to.

Q. And simply because counsel says you don't have to tell, you want to keep the legislature in the dark concerning your activities as a lobbyist in this legislature?

Mr. Kelly: His activities are in the open. Ask him about them.

Q. Tell us about your activities as a lobbyist.

A. I refuse to answer because I feel this committee has no right to go into our activities as lobbyists here.

Mr. Fowler: The secretary will take note of the witness' remarks so the witness can be cited for contempt.

Q. You know that you cannot be prosecuted for any evidence that may be disclosed by any answer you make here?

A. Yes, sir.

Q. And yet you deliberately and intentionally refuse to answer?

A. I do.

Q. And disclose to the legislature of the State of Montana your activities and the things that you have done as lobbyist at the present legislative session?

A. Yes, sir.

Your committee believes that it is impossible to successfully pursue the investigation initiated by the house which promises such important results, unless the powers granted by the resolution above mentioned be broadened to include an investigation of the lobbying activities of the public utilities and the other corporations of the state, and that your committee should be given power to inquire into all of the lobbying activities of the said utilities and corporations, to the end that it may be determined how much of the consumers' money is now being spent for the purpose of defeating legislation intended to be of benefit to the consumers of the state, and so that proper legislation may be proposed by your committee for enactment at this or subsequent sessions of the legislature.

It is also necessary that your committee have power to inquire definitely into the ownership and control of any and all newspapers in the State of Montana for the purpose of determining whether or not the public utilities or other corporations of the state control and use them for the purpose of defeating the best interests of the patrons of the public utilities and for wielding an undue influence on members of the legislature and legislation being considered before any legislative assembly.

Therefore, your committee begs leave to make this informal preliminary report and request the increased authority set forth in the accompanying resolution.

Respectfully submitted,

FOWLER, Chairman.
EMMONS,
O'BYRNE,
FOOR,
ORMSBEE.

RESOLUTION

Whereas, It appears that the Special Investigating Committee appointed by virtue of the resolution introduced by Fowler on the 36th legislative day, authorizing the appointment of a committee to investigate and inquire into the political activities of the public utilities and other corporations of the state, is being seriously handicapped in its effort to carry out the will of the House of Representatives because of the refusal of witnesses subpoenaed under and by authority of the said resolution to answer questions pertinent to the investigation authorized by the House; and

Whereas, It is highly desirable that the lobbying activities of the said public utilities and the said corporations be investigated, with a view to determining whether or not moneys charged to operating expenses of the said utilities may have been or may be used in excessive amounts, leading to undue influence upon legislators and the legislation passed or introduced into this legislature of the State of Montana from time to time;

Therefore, Be It Resolved: That the powers of the said investigating committee be increased and broadened to include a complete investigation of the lobbying activities of any public utility or corporation in the State of Montana; that the said committee be directed to inquire into said activities to determine the corporations or individuals represented by any and all lobbyists appearing at the present session of the legislature, the sums of money expended or the methods used by any of these parties, utilities or corporations to influence legislation, and that the said committee be empowered to compel said witnesses to answer any and all questions bearing

hereupon, to the end that the said committee may pursue its original investigations with effectiveness and that it may determine whether or not any undue influence may at any time have been brought upon the legislature of Montana, tending to favor or defeat legislation of interest and benefit to the people of the State of Montana and to the end that the said committee may be in a position to recommend to the legislature suitable legislation to curb any or all of these practices which may be determined detrimental or injurious to the people of the state or the proper administration of the government of the State of Montana in any of its activities or branches.

FOWLER.

It was moved by Fowler, duly seconded, that the report and resolution be adopted.

The following amendment to the resolution was proposed by Toomey, seconded and carried.

"That the committee appointed by the Speaker to investigate the political activities in the last campaign, be and said committee is hereby instructed to extend and widen its scope of investigation to include the political and legislative activities of all organizations including the Chain Store Organization, activities of the Independent Merchants Association, the Montana State Medical Association, the Chiropractors of Montana, the Osteopaths, the Western Progressive, the Milk Lobby, the Railroads, Insurance Companies, proponents of licensed gambling and licensed liquor, Farm Union group, the Farm Bureau, the Labor Unions, the Railroad Brotherhoods, Chinese Herb Doctors, and any other group or organization represented in the campaign or during the present session of the legislature:

That said committee forthwith subpoena witnesses from these said various groups, and investigate their activities, not only during the legislature, but through the mail, telegraph, telephone, personal solicitation of and addresses to members of the House, etc.

That any additional power given this original committee shall cover the activities of the groups named herein as well.

Whereupon, motion by Fowler was put and carried, as amended.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 97, entitled: "An Act to amend Section 9427 of the Revised Codes of Montana of 1921, relating to exemptions of property from execution and repealing Chapter 120 of the Session Acts of the Twenty-third Legislative Assembly of 1933, and all other Acts in conflict herewith," respectfully report as follows: That Senate Bill No. 97 be not concurred in.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration Senate Bill No. 148, entitled: "An Act extending to June 1, 1936, the period of the public works emergency relief program authorized by Chapter 24 of the Acts of the Extraordinary Session of the Twenty-third Legislative Assembly of 1933-34, and repealing all Acts in conflict herewith," respectfully report as follows: That Senate Bill No. 148 be amended as follows: In the title, line 5 by striking out the numerals 1936, and inserting in lieu thereof, the figure 1937. By striking out paragraphs 1 and 2 and lines 24 and 25, and inserting in lieu thereof,

"Be it enacted by the Legislative Assembly of the State of Montana." On page 1, line 29, the figure 1936 is stricken out and the figure 1937 is inserted. On page 2, line 2, strike the figure 1936, out and insert in lieu thereof the figure 1937. And as amended, be concurred in.

MONAHAN, Chairman.

On motion of Monahan, report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration Senate Joint Resolution No. 8, entitled: "Providing that the Montana Rural Rehabilitation Corporation be recognized and designated as a public agency and instrumentality of the state, for the purpose of assisting in the rehabilitation of individuals and families as self-sustaining human beings, and authorizing the various officers, boards, courts and governing bodies of the state now engaged in the relief of destitution and unemployment to cooperate with said corporation," respectfully report as follows: That Senate Joint Resolution No. 8 be concurred in.

MONAHAN, Chairman.

On motion of Monahan, report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration Senate Bill No. 175, entitled: "An Act to declare the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and/or projects to provide dwelling accommodations for persons of low income; to provide for the creation of such housing authorities; to define the powers and duties of housing authorities and to provide for the exercise of such powers, including acquiring property by purchase, gift or eminent domain, and including borrowing money, issuing revenue and credit bonds and other obligations, and giving securities therefor; to confer remedies on obligees of housing authorities; to provide that the bonds of the authority shall be legal investment; to provide that housing authorities, their property and securities shall be tax exempt; and to declare an emergency requiring that this Act take effect from the date of its passage," respectfully report as follows: That Senate Bill No. 175 be concurred in.

MONAHAN, Chairman.

On motion of Monahan, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 90, entitled: "An emergency Act relating to the granting of relief from mortgage foreclosure and from execution sales of real estate; providing for extending the period of redemption from said mortgage foreclosures and execution sales, and designating the procedure to obtain such relief and the authority of courts in relation thereto; limiting the right to maintain actions for deficiency judgments; extending the expiration of certain periods of redemption, and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That Senate Bill No. 90 be concurred in.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 11, entitled: "An Act amending Section 7597, Revised Codes of Montana for 1921, relating to conditional sales contracts, and prescribing under what conditions deficiency judgment may or may not be taken upon the repossession of property thereunder, and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That Senate Bill No. 11 be concurred in.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 103, entitled: "An Act to amend Section 10482 of the Revised Codes of Montana of 1921, as amended by Chapter 12 of the Session Laws of 1927, and as amended by Chapter 133 of the Acts of the Twenty-third Legislative Assembly of 1933, relating to the conditions of allowance of mothers' pensions," respectfully report as follows: That Senate Bill No. 103 be concurred in.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 133, entitled: "An Act regulating the rank and priority of liens for general taxes and assessments for local improvements in cities and towns," respectfully report as follows: That Senate Bill No. 133 be amended as follows: Amend Section 1 of Senate Bill No. 133, by adding the following after the word "other", appearing in line 11 of said section in the printed bill: "Provided, however, that nothing in this Act shall be construed as re-establishing or reviving the lien of a special assessment which has heretofore ceased to exist." And that as amended, be concurred in.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 199, entitled: "An Act defining certain Acts in the handling of the finances of mining and oil companies operating within the State of Montana as fraudulent; providing for the prosecution of said fraudulent Acts, and fixing penalties upon the conviction thereof," respectfully report as follows: That Senate Bill No. 199 be concurred in.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration Senate Bill No. 53, entitled: "An Act to amend Section Four (4) of Chapter Six (6) of the Session Acts of Montana, Twenty-first Session, 1929, relating to the production, use, sale, dispensing and possession of marihuana, or any derivative, and making it a felony for the violation of the provisions hereof, and repealing Acts and parts of Acts in conflict herewith," respectfully report as follows: That Senate Bill No. 53 be amended as follows: Amend the title in line 1 by changing the word "section" to the word "sections" and inserting thereafter the words and figures "one (1), two (2) and".

Amend the title in line 2 by striking out the word "acts" and inserting in lieu thereof the word "laws".

Amend Section 1 of the printed bill in line 1 by striking out the word "acts" and inserting in lieu thereof the word "laws".

That Section 1 of Chapter 6 of the Session Laws of Montana, Twenty-first Assembly, 1929, be, and the same is hereby amended to read as follows:

"Section 1. No person save as in Section 3 hereof provided shall use, possess, sell, furnish, or otherwise dispose of any marihuana, mariahuana seeds or plants (also known as cannabis sativa, cannabis indica, or Indian hemp), or any derivative, mixture, or preparation thereof for any purpose whatsoever."

That Section 2 of Chapter 6 of the Session Laws of Montana, Twenty-first Assembly, 1929, be, and the same is hereby amended to read as follows:

"Section 2. No person shall knowingly permit any mariahuana, mariahuana seeds or plants (also known as cannabis sativa, cannabis indica, or Indian hemp), or any derivative, mixture or preparation thereof to be grown used, possessed, sold, furnished, or otherwise disposed of save as in Section 3 hereof provided, on any premises of which he is the occupant or owner in fee or as lessor or lessee, renter or otherwise."

Change the present Section 1 to read as Section 3, present Section 2 to read as Section 4, and present Section 3 to read as Section 5. And as amended, be concurred in.

MONAHAN, Chairman.

On motion of Monahan, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 208, entitled: "An Act relating to payments of bonds and warrants of special improvement districts, and prescribing a period of limitation for accepting or rejecting the provisions thereof," respectfully report as follows: That Senate Bill No. 208 be amended as follows: By striking out the following words appearing in lines 11 and 12 of Section 3, as the same appears on the printed bill, to-wit: "A duly authenticated claim covering such partial payment together with."

By adding after the word, "coupon," appearing at the end of line 12 and beginning of line 13 of said Section 3, the following: "to said treasurer."

By striking out all of the balance of Section 3, commencing with the words, "by the holder thereof", appearing in line 13 of the printed bill, and substituting the following therefor: "the said city or town treasurer shall make proper note thereof upon his official record of such special improvement bond issue, and may thereupon pay over such balance as shall have been theretofore accumulated in such special improvement district fund, in accordance with the claims and priorities established as provided by this Act," and as amended, be concurred in.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 212, entitled: "An Act limiting the time within which an action for the recovery of real property of any dissolved corporations, or for possession thereof or the rents or profits thereof, may be brought by any stockholder, officer, director or other person claiming under or through said corporation," respectfully report as follows: That Senate Bill No. 212 be amended as follows: By striking the words and figures "twenty (20)" in line 8 of the printed bill, and inserting in lieu thereof the words and figures "ten (10)," and that as amended, said bill be concurred in.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 134, entitled: "An Act providing for the foreclosure of special assessment liens by owner of unpaid bond or warrant and prescribing procedure thereon," respectfully report as follows: That Senate Bill No. 134 be concurred in.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 108, entitled: "An Act declaring illegal, void, and unenforceable any provision empowering entry of judgment by con-

fession or creating an agency to either confess judgment, accept service of process or entry of default in any proceeding in court, when such provision is contained in a contract in writing by which any promise to pay money is created," respectfully report as follows: That Senate Bill No. 108 be concurred in.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration Senate Bill No. 55, entitled: "An Act to permit property to be redeemed from tax sale by paying the original tax, providing such original taxes be paid on or before December first, 1935, and relating to the time of taking tax deed," respectfully report as follows That Senate Bill No. 55 be concurred in.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration Senate Bill No. 218, entitled: "An Act to amend Chapter 181 of the Session Laws of the Twenty-third Legislative Assembly of 1933, by addition thereto three new sections to be numbered respectively Section 4-A, Section 4-B, and Section 4-C, relating to the method of ascertainment of gain or loss from the sale or exchange of property for the purpose of determination of income tax," respectfully report as follows: That Senate Bill No. 218 be concurred in.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration Senate Bill No. 139, entitled: "An Act to amend Section 4584 of the Revised Codes of Montana of 1921, as amended by Chapter 133 of the Session Acts of the Twenty-first Legislative Assembly of Montana of 1929, relating to the method of assessing the cost of improvements in rural improvement districts," respectfully report as follows: That Senate Bill No. 139 be amended as follows:

In line 7 of the title of the original bill by striking out the word "Acts" and inserting in lieu thereof the word "Laws".

In line 13 of the original bill by striking out the word "Acts" and inserting in lieu thereof the word "Laws." And as amended, be concurred in.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration Senate Bill No. 89, entitled: "An Act amending Section 19 of Chapter 181 of the Session Acts of the Twenty-third Legislative Assembly of Montana of 1933, relating to income tax returns," respectfully report as follows: That Senate Bill No. 89 be amended as follows: In line 6 of the title of the original bill, by striking out the word "Acts" and inserting in lieu thereof the word, "Laws". In line 10 of the original bill by striking out the word "Acts" and inserting in lieu thereof the word, "Laws". And as amended, be concurred in.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration Substitute for Substitute Senate Bill No. 8, entitled: "An Act relating to the effect to be given to the valuation of property

of public utilities for taxation purposes in determining the valuation of the same property for rate-making purposes," respectfully report as follows: That Substitute for Substitute Senate Bill No. 8 be concurred in.

ROLPH, Chairman.

On motion of Rolph, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration Substitute Senate Bill No. 69, entitled: "An Act relating to the classification of lands for purposes of taxation; providing for the classification and assessment of lands leased or used for grazing purposes; specifying the powers and duties of the County Board of Equalization in relation to the administration of this Act, and repealing all Acts in conflict herewith," respectfully report as follows: That Substitute Senate Bill No. 69 be concurred in.

ROLPH, Chairman.

On motion of Rolph, report adopted.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Committee on Conference of House Bill No. 76, beg leave to report as follows:

Amend Section 1 by inserting in line 46, after the word "townships", the following: "where the population is twelve thousand (12,000) people and not more than thirty-five thousand (35,000)." And as amended, do pass.

MEYER,
CAMPBELL,
ARMSTRONG,

For the Senate.

CONNER,
GORDON,
PADBURY,

For the House.

On motion of Conner, duly seconded, report of the Conference Committee on Senate amendments to House Bill No. 76, was adopted by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Boone, Brennan, Buttelman, Byrne, Chamberlain, Chapman, Conner, Cusick, Ecton, Egan, Emmett, Foor, Fowler, Goodwin, Green (Dawson), Haight, Hall, Harlen, Harwood, Haugan, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Leary, Leavitt, Liggett, Logan, Lott, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, O'Brien, O'Byrne, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Watson, Whaley, White (Judith Basin), Worden, York, Mr. Speaker. Total 68.

Noes: Lasby, Ritch. Total 2.

Absent and not voting: Ballard, Bertsche, Burris, Busch, Connors, Coultas, Doe, Emmons, Ewing, Gordon, Gray, Groene (Fergus), Hamilton, Heavlin, Joffray, Kuhl, Lemmer, Lippard, Lovell, McCausland, Metlen, Moss, Mundy, Neary, Nelson, Nutting, Ormsbee, Peterson (Valley), Rolph, Stromnes, Toomey, White (Hill). Total 32.

The Speaker: Sixty-eight have voted "aye"; two have voted "no"; conference committee report on Senate amendments to House Bill No. 76, has been adopted by the House.

REPORT OF SELECT COMMITTEE ON PRICE OF GASOLINE

Mr. Speaker: We, your Special Committee appointed to investigate the price of gasoline in the State of Montana, beg leave to submit the following report:

Your committee has held several meetings and has caused to be taken evidence from parties interested in a reduction in the price of gasoline. Refiners, distributors, salesmen and others who are acquainted with the underlying reasons for the present high price of gasoline in the state have appeared before us.

We find that the refineries show a wide variation in the cost of production of gasoline. For instance, one company, which is the largest distributor in the State of Montana, and also operates a refinery in the State of Montana, claims to be able to make a profit on the basis of seven cents a gallon f. o. b. the refinery, on first grade gasoline. Opposed to this, local refineries in the state claim a cost of refining at from eight to over nine cents a gallon.

We find wide variations of charges for transportation to different sections of the state so that some of the local refineries are unable to ship to certain points of the state at a profit.

We find that from one-third to one-half of the gasoline consumed in the State of Montana is imported into the state, and that the price at which this imported gasoline can be sold in the state is a large, if not the controlling factor, in establishing the retail price.

We find that the local refineries in the State of Montana cannot produce gasoline as cheaply as the outside companies for the following reasons: First, crude oil in the State of Montana is approximately fifty per cent higher than crude oil out of the state, and the cost of delivery from the wells to the refineries is considerably higher owing to the large distances involved in this state. Second, because of the limited volume and the seasonable variation in the state.

We find that the retail price of gasoline is more or less fixed by the large companies for the reason that the large companies name a schedule of prices and the other retailers at most points of the state see fit to sell at the same price. One of the larger companies gave your committee a schedule on the basis of twenty-four cents a gallon for first grade gasoline as follows:

Cost at refinery	\$.07
State tax05
Government tax01
Dealer's margin04
Freight rate03
Comm. ssions02
Administrative and advertising cost02
TOTAL	\$.24

We find from the evidence submitted to your committee that the average cost of refining of all the companies operating in the State of Montana would be approximately \$.08¼ per gallon for first grade gasoline. There is no relief from the state tax and the government tax, amounting to six cents in all. We were given to understand that under the National Code the dealer's margin is fixed at four cents per gallon, which would make a total price per gallon of 18.25c. To this necessarily must be added the cost of transportation from the refinery to the retailer, and we believe that the average throughout the state may be placed at three cents per gallon with respect to this item. This amount is charged by all companies

as nearly as can be ascertained, regardless of the fact of the distance the gasoline is transported. In other words, this is an average charge based upon all of the variations in the cost of transportation throughout the state.

Your committee was advised that some time ago in certain areas, reduced rates of transportation were fixed by the Board of Railroad Commissioners, but that none of the reduction in the price of transportation was passed on to the consumer.

With reference to freight rates, we find that crude oil or gasoline shipped into Montana from Oklahoma, Texas and Kansas is covered by a rate known as applicable to Group Three. There seems to be a wide variation in these rates; for instance, a shipment from any of the three states in question to Glendive, Montana, of gasoline would bear a rate of .0587, but from any of the states in Group Three to Lewistown, Montana, would be .0799, a variation of over two cents per gallon, and, of course the freight rate from the Group Three states in North Dakota is proportionately less than the freight rate in Montana, so that on the basis of gasoline being shipped into North Dakota there is no question but what gasoline in North Dakota can be sold from two to three cents per gallon cheaper than it can be in Montana without taking into account the fact that the tax in North Dakota is two cents per gallon less than it is in Montana.

We found the representatives of the oil companies, of the distributors, the refineries and the retailers very willing to cooperate with your committee, and your committee wishes to express its thanks for the spirit of cooperation shown. We found every willingness to produce records and disclose all information asked for, and we believe that the public is entitled to know the real situation as to the price of gasoline in this state.

From a careful consideration of the evidence produced before your committee, we believe there are only two immediate opportunities at present to reduce the retail price of gasoline. First, any reduction in the price of transportation of gasoline into the state from points outside of the state will, of course, immediately reflect itself in forcing the local companies in the state to meet the lower price. Any reduction in rates in intra-state rates from point to point within the state would not have this effect, but would be highly beneficial both to the local companies and to the ultimate consumer; that is provided the oil companies would pass this reduction on to the consumer. Second, a reduction in the cost of distribution. This point covers the following items: Average cost of railroad transportation throughout the state, .03 per gallon; jobber's margin, .02 per gallon; retailer's margin, .04 per gallon. The first item of railroad transportation has heretofore been referred to, but the other two items from six to seven cents per gallon offer, in the opinion of your committee, the most practical immediate method of reduction in the price of gasoline. To reduce the price of gasoline in this manner, however, is a double-barreled proposition for the reason that a great many people employed in retailing and bulk stations will be seriously affected as there are over nine thousand men employed in the State of Montana in this business.

According to the testimony received by your committee, any oil company will sell gasoline delivered at the pump at wholesale for four cents under the price for first grade gasoline. If individual groups of farmers or business men desire to establish some sort of an association and put in a bulk station there is no question but that the parties involved could, on a sufficient volume to pay the cost of the man employed, save from two to three and possibly four cents per gallon on the present retail price of first grade gasoline, but in doing so they would in all probability have to eliminate expensive filling stations, expensive equipment and all other attendant courtesies that the public seems to demand in modern filling stations. The public has demanded certain services in connection with

automobiles stopping at filling stations and, of course, if we are to receive these services we must pay for them. If, on the other hand, we are willing to forego these services, we can, in the judgment of your committee, reduce the price of the cost of gasoline throughout the State of Montana; but as heretofore stated, this will mean the elimination of employment for a great many of our citizens

In submitting this report, we recommend that a copy thereof be filed with the Attorney General of the State of Montana, and a copy thereof with the Railroad Commission of the State of Montana together with the testimony taken in this case, with the recommendation that the Railroad Commission use this testimony and such other testimony as it may deem advisable for the purpose of presenting it to the Inter-state Commerce Commission a request that Montana be granted a more favorable rate on gasoline, both on intra-state and inter-state shipments.

In closing we express our appreciation of the work done by the Special Committee of the House and Senate of the Twentieth Legislative Assembly for the year 1927.

Respectfully submitted,

GROENE of Fergus, Chairman,
KRUSE,
ROLPH,
GRAY,
GREEN of Dawson.

On motion of Groene of Fergus, report adopted.

The Speaker appointed the following to act as Special Committee on Liquor Bills with the committee from the Senate: Groene of Fergus, Leavitt and Gray.

THIRD READING OF HOUSE BILLS

Senate amendments to House Bill No. 136, introduced by Groene of Fergus, were concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Hall, Harlen, Harwood, Haugan, Heavlin, Hedden, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Logan, Lott, Lovell, McCausland, Manning, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Mundy, Nelson, Nutting, O'Brien, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Galatin), Peterson (Valley), Quigley, Ritch, Rolph, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 87.

Noes: Stimatz. Total 1.

Absent and not voting: Ecton, Fowler, Haight, Hamilton, Holding, Lippard, McLaughlin, Masterson, Metlen, Moss, Neary, O'Byrne, Ryan, Stromnes. Total 14.

The Speaker: Eighty-seven have voted "aye," one has voted "no"; Senate amendments to House Bill No. 136, have been concurred in by the House.

Senate amendments to House Bill No. 372, introduced by Nutting, by request, were concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Coul-

tas, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Harlen, Harwood, Haugan, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Manning, Masterson, Miler (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 88.

Noes: None.

Absent and not voting: Burris, Byrne, Doe, Fowler, Hall, Hamilton, Heavlin, McLaughlin, Metlen, Minette, Moss, Nelson, Stevens, Stromnes. Total 14.

The Speaker: Eighty-eight have voted "aye," none have voted "no"; Senate amendments to House Bill No. 372, have been concurred in by the House.

THIRD READING OF SENATE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 161, introduced by Campbell, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York. Total 87.

Noes: Stimatz, Mr. Speaker. Total 2.

Absent and not voting: Brennan, Burris, Byrne, Doe, Fowler, Hamilton, Hinerman, McLaughlin, Metlen, Mundy, Neary, Stevens, Stromnes. Total 13.

The Speaker: Eight-seven have voted "aye," two have voted "no"; Senate Bill No. 161 has been concurred in by the House.

Senate Bill No. 214, introduced by Cotter and Garrison, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Boone, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Manning, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Monahan, Moss, Mundy, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheri-

dan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sexton, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 87.

Noes: White (Judith Basin). Total 1.

Absent and not voting: Ballard, Burris, Doe, Hamilton, McLaughlin, Masterson, Mitchell, Mulholland, Neary, Nelson, Rolph, Sherman, Stromnes, Watson. Total 14.

The Speaker: Eighty-seven have voted "aye," one has voted "no"; Senate Bill No. 214 has been concurred in by the House.

Senate Bill No. 77, introduced by Simmons, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Coultas, Cusick, Ecton, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 87.

Noes: None.

Absent and not voting: Brennan, Byrne, Connors, Doe, Egan, Fowler, Hamilton, Kelly, McLaughlin, Metlen, Moss, Padbury, Rolph, Stromnes, Whaley.

The Speaker: Eighty-seven have voted "aye," none have voted "no"; Senate Bill No. 77 has been concurred in by the House.

Senate Bill No. 34, introduced by Arnold, Ekegren, Oliver, Hollenback, Kalberg, Carroll, Cooper, Cotter, Holton, Larson, Angvick, Keeley, Kelsey, Lamp, Simmons, Harris, Liess, Garrison, Sibbert, Thien, Coburn, MacGilvra, Plank, Hammond, Anderson, Clifford, Delaney, Benjamin, Hennessy, Nass, Colbo, Blankenbaker, Plumer, Sparling, Meyer, Putnam, Page, Baker, Murphy, Daniels, Melton, Holt, Sullivan, being a constitutional amendment, and having been read three several times, was concurred by the necessary two-thirds vote of the entire membership of the House as required by Section 9 of Article 19 of the State Constitution, and in compliance with the provisions thereof the bill is set forth in its entirety as follows:

A Bill for an Act entitled: "An Act to provide for the submission to the qualified electors of the State of Montana of an amendment to Article XVI of the Constitution of the State of Montana by adding thereto a section to be known as Section 8 prohibiting the abandonment, abolition, and/or consolidation of counties in whole or in part or at all except by a majority vote of the duly qualified electors in the county or counties proposed to be abandoned, abolished and/or consolidated."

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. That Article XVI of the Constitution of the State of Montana be amended as hereinafter provided, and that said amendment be submitted to the qualified electors of the State of Montana at the next biennial regular general election to be held in said state.

Section 2. That Article XVI of the Constitution of the State of Montana be and the same is hereby amended by adding thereto a section to be known as Section 8 to read as follows:

"Section 8. Any county or counties in existence on the first day of January, 1935, under the Laws of the State of Montana or which may thereafter be created or established thereunder shall not be abandoned, abolished and/or consolidated either in whole or in part or at all with any other county or counties except by a majority vote of the duly qualified electors in each county proposed to be abandoned, abolished and/or consolidated with any other county or counties expressed at a general or special election held under the laws of said state."

Section 3. The regular official ballot provided for by Section 678, R. C. M., 1921, to be used at the election specified in Section 1 of this Act shall have printed thereon: "amendment to prohibit consolidations of counties except by vote of the people of each county affected," followed by all of said Section 2 of this Act. That there shall also be printed on said official ballots below the said section, squares and the words following:

☐

For the amendment.

☐

Against the amendment.

Each elector shall designate his preference by marking an X in the square before the proposition for which he desires to vote."

Section 4. The votes cast for and against the said amendment at the said biennial regular general election shall be canvassed and counted as provided by the general election laws of the State of Montana and if a majority of all votes cast at said election for and against said amendment shall be in favor of the amendment the Governor of the state shall immediately so declare by public proclamation, and said amendment shall be in full force and effect as a part of the constitution from and after the date of said election.

Section 5. All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 6. This Act shall be in full force and effect from and after its passage and approval.

Senate Bill No. 34, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Hall, Harlen, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Mundy, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 86.

Noes: Bertsche, Ecton, Groene (Fergus), Haight, Stromnes. Total 5.

Absent and not voting: Hamilton, Harwood, McLaughlin, Metlen, Moss, Neary, Padbury, Smith. Total 8.

The following passed his vote: Lemmer.

Paired: Aye: Doe. No: Southmayd. Total 2.

The Speaker: Eighty-six have voted "aye," five have voted "no"; Senate Bill No. 34, has been concurred in by the House.

Senate Bill No. 172, introduced by Parkin, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Burris, Busch, Byrne, Chamberlain, Chapman, Connors, Coultas, Cusack, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Green (Dawson), Haight, Hall, Harlen, Haugan, Heavlin, Hedden, Hinerman, Joffray, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mundy, Nutting, O'Brien, O'Byrne, O'Connor, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stevens, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 78.

Noes: Gray, Holding, Ritch, Stimatz. Total 4.

Absent and not voting: Boone, Buttelman, Conner, Doe, Groene (Fergus), Hamilton, Harwood, Kelly, McLaughlin, Minette, Moss, Mulholland, Neary, Nelson, Ormsbee, Parker, Smith, Stromnes, Toomey, Metlen. Total 20.

The Speaker: Seventy-eight have voted "aye," four have voted "no"; Senate Bill No. 172 has been concurred in by the House.

Senate Bill No. 88, introduced by Meyer, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Balgord, Ballard, Bertsche, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusack, Ecton, Egan, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Green (Dawson), Hall, Harlen, Haugan, Hedden, Joffray, Kathan, Kruse, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Nutting, O'Brien, O'Byrne, Ormsbee, Peterson (Gallatin), Quigley, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stevens, White (Judith Basin), York, Mr. Speaker. Total 61.

Noes: Emmett, Haight, Heavlin, Holding, Johnson, Kelly, Lasby, Logan, McCausland, Mundy, Nelson, O'Connor, Padbury, Ritch, Rolph, Ryan, Smith, Stimatz, Watson, Whaley, White (Hill), Worden, Anderson. Total 23.

Absent and not voting: Boone, Doe, Gray, Groene (Fergus), Hamilton, Harwood, Hinerman, Kuhl, McLaughlin, Metlen, Minette, Moss, Neary, Parker, Stromnes, Toomey. Total 16.

The following passed their vote: Petersen (Sheridan), Peterson (Valley). Total 2.

The Speaker: Sixty-one have voted "aye," twenty-three have voted "no"; Senate Bill No. 88 has been concurred in by the House.

It was moved by Byrne, duly seconded and carried, that the House recess until 8:00 o'clock P. M.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled:

House Bills Nos. 171, 241, 292, 296, 341.

House Joint Resolution No. 5.

House Joint Resolution No. 6.

MONAHAN, Chairman.

Without objection, report adopted.

I have read House Bill No. 171, as reported from the Enrolling Committee and certify same to be correct.

LEMMER.

I have read House Joint Resolution No. 5, as reported from the Enrolling Committee and certify same to be correct.

SEXTON.

I have read House Joint Resolution No. 6, as reported from the Enrolling Committee and certify same to be correct.

LIPPARD and GORDON.

I have read House Bill No. 241, as reported from the Enrolling Committee and certify same to be correct.

FOWLER.

I have read House Bil No. 292, as reported from the Enrolling Committee and certify same to be correct.

FOWLER.

I have read House Bill No. 296, as reported from the Enrolling Committee and certify same to be correct.

KRUSE.

I have read House Bill No. 341, as reported from the Enrolling Committee and certify same to be correct.

LEAVITT.

The Speaker announced he was about to sign House Bill No. 171, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 241, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 292, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 296, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 341, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Joint Resolution No. 5, whereupon, the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Joint Resolution No. 6, whereupon, the Clerk read the title of the same and the Speaker did sign in the presence of the House.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 15, 74, 291, 329, 344, 486 and Substitute House Bill No. 66, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 10:15 o'clock A. M., delivered to the Governor for his approval.

MONAHAN, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration Senate Bill No. 39, entitled: "An Act to amend Section 21 of Chapter 89, Session Laws of the Twentieth Legislative Assembly, 1927, being an Act relating to the liability of stockholders of Montana State Banks," respectfully report as follows: That Senate Bill No. 39 be amended as follows: By striking out the House amendment to the title and also the House amendment to Section 1 and inserting in lieu thereof, the following: Amend the title by adding after the word "banks" the words "and the administration of insolvent banks by the State Superintendent of Banks"; amend Section 1 by adding after the word "corporations" in line 54 the following: The Superintendent of Banks shall within ninety (90) days after taking charge of an insolvent bank, cause to be filed with the District Court having jurisdiction, a complete inventory of all of the property and assets of such insolvent bank, such as furniture, fixtures, real estate, mortgages, bonds, notes, secured and unsecured, and thereafter he shall every six months or oftener, if so required by the court, cause to be made and filed with the court a report showing the conditions of the liquidation of such bank, the assets that have been liquidated and collected and the amounts and manner of payments which may have been made to creditors and the manner in which claims have been handled and also showing the assets on hand. The report to also contain such other information as the court may deem proper and request or require, so that the court and the public may be apprized of the condition of such bank and the manner in which it is being liquidated with respect to the collection and sale of assets belonging to such bank and the manner in which claims are being paid. Such report and account shall be set for hearing upon such notice as the court may require and if found to be correct shall be approved by the court. Change Section 2 to Section 3 and insert in lieu thereof, Section 2 which states the following: Section 2. All Acts and parts of Acts in conflict herewith are hereby repealed. And, as amended, be concurred in.

ACHER, Chairman.

On motion of Acher, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND
THE SENATE

It was moved by Leavitt, duly seconded and carried, that the message from the Governor, on the veto on House Bill No. 191, be made a Special Order of Business at 10:30 o'clock A. M., tomorrow.

MOTIONS AND RESOLUTIONS

It was moved by Petersen of Sheridan, duly seconded and carried, that Senate Bill No. 90 be passed for the day.

It was moved by Moss, duly seconded and carried, that Senate Bill No. 128 be passed for the day.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules, Joint Rules and Order of Business, having had under consideration motion regarding consideration of House Bill No. 366, recommend:

That the House Rules be suspended and House Bill No. 366 be placed on General Orders for consideration by the Committee of the Whole.

BYRNE, Chairman.

On motion of Byrne, report adopted.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole, for consideration of General Orders, under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Burris of Deer Lodge in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That Senate Bill No. 54 be amended as follows: Amend the title by inserting after the word "of," at the end of line 2, the following: "the Twenty-first Legislative Assembly of Montana"; amend Section 1, line 2, after the word "of" and before the figures, "1929" the following: "the Twenty-first Legislative Assembly of Montana,"; and as amended be concurred in.

That Senate Bill No. 144 be concurred in.

That Senate Bill No. 189 be concurred in.

That Senate B.ll No. 28 be amended as follows: All amendments to engrossed bill: Amend the title by striking out the words "Secretary of State"; amend Section 1 by striking out in line 13, the following words, "the office of the Secretary of State of the State of Montana"; amend Section 1 by striking out in line 14 the words "Secretary of State"; amend Section 2 by striking out in line 19, the words "Secretary of State"; amend Section 1 by striking out in line 15, the word "two" and inserting in lieu thereof the word "eight"; amend Section 1 by striking out in line 16, the word "mortgages have" and inserting in lieu thereof the words "mortgage, conditional sales contract, seed lien, or threshers line has" and by striking out in line 17 the word "mortgage"; amend the title after the first word "mortgages" appearing in line 2 by inserting the words "conditional sales contracts, seed liens, and threshers liens" and by striking the second word "mortgages" and inserting in lieu thereof the word "same"; amend line 1, Section 1, and line 20, Section 2, by inserting after the word "mortgages," the words "conditional sales contracts, seed liens, and threshers liens," and as amended, be concurred in.

That House Bill No. 366 do pass.

That Senate Bill No. 96 be passed temporarily.

That Senate Bill No. 2 be passed for the day.

That Senate Joint Memorials Nos. 4 and 5 and Senate Joint Resolution Nos. 7 and 5 be passed for the day.

That Senate Bill No. 58 be passed for the day.

That Senate Bill No. 151 be passed for the day.

That Senate Bill No. 86 be concurred in.

That Senate Bill No. 109 be concurred in.

That Senate Bill No. 110 be concurred in.

That Senate Bill No. 175 be passed for the day.

That Senate B.ll No. 11 be concurred in.

That Senate Bill No. 103 be amended as follows: Amend the title after the word "by," in line 3, by inserting the words "Section 1 of" and also in line 3 of the title, strike out the word "Acts" and insert the word "Laws" and in Section 1, line 2, after the word "by," insert the words "Section 1 of" and in the same line strike the word "Acts" and insert the word "Laws," and as amended be concurred in.

That Senate Bill No. 199 be concurred in.

That Senate Bill No. 134 be passed for the day.

That Senate Bill No. 108 be concurred in.

BURRIS, Chairman.

On motion of Burris, report adopted.

It was moved by Byrne, duly seconded and carried, that the House adjourn until 10:00 o'clock A. M., Saturday, March 2, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FIFTY-FIFTH DAY

House of Representatives,
Helena, Montana, March 2, 1935.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by Chaplain.

A quorum for the transaction of business was present. The following were excused: McLaughlin, Neary and Nutting.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fifty-fourth Legislative Day, find the same to be correct.

QUIGLEY, Chairman.

Without objection, report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 60, entitled: "An Act to amend Section 1 of Chapter 44 of the Acts of the Extraordinary Legislative Assembly of Montana of 1933-1934, relating to the levy of special taxes for the payment of school district warrants outstanding July 1, 1934, and requiring the inclusion in the budget allotment of district and county high schools of delinquent warrants hereafter paid out of the county high school tax moneys, and repealing all Acts in conflict herewith," respectfully report as follows: That Senate Bill No. 60 be not concurred in.

PETERSON of Valley, Chairman.

On motion of Peterson of Valley, report adopted.

Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration Senate Bill No. 143, entitled: "An Act to permit irrigation districts that have borrowed money from the United States, to change the boundaries of said district, with the consent of the land owners and the Secretary of Interior of the United States, by eliminating certain lands and providing the procedure for such elimination," respectfully report as follows: That Senate Bill No. 143 be amended as follows:

Section 3, line 4, of the printed bill, by striking out the words, "some newspaper published in" and inserting in lieu thereof the words, "the official newspaper of."

Section 3, line 9, of the printed bill by striking out the words, "be published as above provided in a newspaper published in such other county" and inserting in lieu thereof the words, "also be published as above provided in the official newspaper of such other county or counties."

Section 5, line 3, of the printed bill, by striking out the fourth word, to-wit, the word "he," and inserting in lieu thereof the words, "the court."

The first section numbered 7 by striking out in line 1, the figure "7" and inserting in lieu thereof the figure "6."

By adding a new section to be numbered "Section 8" (all following sections to be renumbered accordingly), said Section 8 to read as follows: "The term 'owners,' as used in this Act, shall include any executor, administrator, trustee of an express trust, and the guardian of any ward. The singular shall include the plural and the masculine the feminine."

Section 9, line 2, of the printed bill, by striking out the words, "by the Governor," and as amended, be concurred in.

NUTTING, Chairman.

On motion of Toomey, report adopted.

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration Senate Bill No. 94, entitled: "An Act to amend Section 4771 of the Revised Codes of Montana of 1921, relating to the duties of State Examiner and County Clerk," respectfully report as follows: That Senate Bill No. 94 be concurred in.

BURRIS, Chairman.

On motion of Emmons, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, requests the House for the return of House Bill No. 54 to the Senate for further consideration.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that the request of the Honorable Senate for the return of House Bill No. 54 be granted.

THIRD READING OF SENATE BILLS

The following having been read three several times, history and title agreed to, were disposed of as follows:

S. B. No. 144, introduced by Campbell, was concurred in by the following vote:

Ayes: Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Ecton, Egan, Emmons, Foor, Fowler, Hall, Heavlin, Holding, Hinerman, Joffray, Johnson, Kathan, Kruse, Lasby, Leary, Lemmer, Liggett, Lippard, Logan, Lott, McCausland, Manning, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Mulholland, Mundy, Ormsbee, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ryan, Sherman, Southmayd, Stevens, Stimatz, Watson, White (Judith Basin), York, Mr. Speaker. Total 52.

Noes: Ahlgreen, Doe, Haight, Hamilton, Haugan, Scofield, Sexton. Total 7.

Absent and not voting: Acher, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Coultas, Ewing, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Harlen, Harwood, Hedden, Kelly, Kuhl, Leavitt, Lovell, McLaughlin, Masterson, Minette, Monahan, Moss, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Padbury, Ritch, Rolph, Smith, Spiegel, Stromnes, Toomey, Whaley, White (Hill), Worden. Total 42.

The following passed their vote: Emmett. Total 1.

The Speaker: Fifty-two have voted aye"; seven have voted "no"; Senate Bill No. 144 has been concurred in by the House.

S. B. No. 189, introduced by Angvick, Cotter, Coburn, Kalberg, Plumer, Arnold, Simmons, Benjamin, Holton, Hollenback, Carroll, Garrison, Lamp, Ekegren, Harris, Parkin, Pauline, Page, Putnam, Clifford, Anderson, Armstrong, Carey, MacGillvra, Baker, Sullivan, Colbo, Nass, Larson, and Shannon, was concurred in by the following vote:

Ayes: Anderson, Balgord, Bertsche, Buttelman, Byrne, Ecton, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Haugan, Heavlin, Hedden, Holding, Johnson, Kruse, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Manning, Miller (Big Horn), Minette, Moss, Mundy, Nelson, O'Connor, Padbury, Parker, Peterson (Gallatin), Quigley, Scofield, Smith, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Hill), Worden, York. Total 50.

Noes: Acher, Ahlgreen, Ballard, Brennan, Burris, Busch, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Egan, Emmett, Emmons, Hinerman, Joffray, Kathan, Kelly, Kuhl, Lasby, McCausland, Masterson, Metlen, Miller (Roosevelt), Mitchell, Monahan, Mulholland, O'Brien, O'Byrne, Ormsbee, Petersen (Sheridan), Peterson (Valley), Rolph, Ryan, Sexton, Sherman, Southmayd, Spiegel, White (Judith Basin), Mr. Speaker. Total 42.

Absent and not voting: Boone, Fowler, Hamilton, Harlen, Harwood, Lovell, McLaughlin, Neary, Nutting, Ritch. Total 10.

Mr. Speaker: Fifty have voted "aye"; forty-two have voted "no"; Senate Bill No. 189 has been concurred in by the House.

SPECIAL ORDER OF BUSINESS

The Speaker,
House of Representatives,
Helena.

Without my approval and with my objection thereto I am returning herewith H. B. No. 191: "An Act to amend Section 19 of Chapter 60 of the Laws of 1927, as amended by Chapter 151 of the Laws of 1933, and Sections 73 and 76 of Chapter 60 of the Laws of 1927, relative to exchange of state lands, the publication of notice of sale of state lands and regulating the sale thereof."

Objections to the provisions of this measure are numerous, and after the fullest consideration it is apparent to me that its placement upon the statute books would tend to hamper the administration of the state's vast heritage of lands for the benefit of its schools.

Senate Bill No. 191 attempts to amend Chapter 151 of the Laws of 1933, relating to the exchange of state lands, but it omits that portion of Chapter 151 which authorized the State Board of Land Commissioners to exchange lands with counties, and these authorities would therefore be forbidden to make exchanges, however advantageous to all parties they might prove.

Thereupon the bill provides perhaps half a dozen obstacles in the way of exchanging state lands for lands of the Federal Government, but time does not permit particularization in this respect. Section 4 of the bill states that its intent is to prevent hasty exchange and sale of state lands. As a matter of plain fact, under the Taylor Grazing Act it would be wholly impossible to execute a hasty exchange. Long experience has demonstrated that exchanges with the United States are slow and difficult, the usual period necessary to accomplish a transfer of this nature being two years.

Under the so-called Taylor Grazing Act, large grazing districts will be organized in Montana under the authority of the Secretary of the Interior. Thousands of separate tracts of state lands will eventually be included within the boundaries of such districts. It will be next to impossible to sell state lands within these grazing districts, as there will be no incentive to purchase. So that, the inclusion of state lands within these districts will to a considerable extent defeat the very purpose for which the lands were granted to this state. The only way whereby the state may protect these lands is to exchange them with the United States in such manner as to get state lands blocked into considerable bodies. This is the biggest problem now before the State Land Department for the protection of its millions of acres of grazing lands.

Exchange regulations of the Federal Government are sufficiently troublesome for the state, but the provisions of House Bill No. 191, should it become a law, would greatly increase the difficulties connected with the exchanges. Legislation, palpably, should be so framed as to make it comparatively easy for the State Board of Land Commissioners to administer state lands in conformity with the requirements of the Enabling Act.

Should House Bill No. 191 become a law, it would be almost a hopeless task to make exchanges of lands with the United States Government, and impossible to effectuate exchanges with counties, and by reason of the operation of the Taylor Grazing Act the value of Federal land grants already made to us would be most seriously impaired.

Believing that the measure under consideration would tend to make much more difficult the task of the State Board of Land Commissioners in administering the great trust committed to it, I cannot give my approval to House Bill No. 191.

F. H. COONEY, Governor.

It was moved by Metlen, duly seconded, that House Bill No. 191 become a law notwithstanding the veto of the Governor.

Motion was lost by the following vote:

Ayes: Acher, Anderson, Baggord, Bertsche, Boone, Busch, Buttelman, Byrne, Chamberlain, Coultas, Doe, Ecton, Emmett, Ewing, Foor, Gordon, Gray, Groene (Fergus), Hall, Harwood, Haugan, Heavlin, Hedden, Joffray, Johnson, Kelly, Kruse, Kuhl, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, Manning, Metlen, Miller (Big Horn), Minette, Monahan, Moss, Mundy, Nelson, O'Connor, Padbury, Parker, Peterson (Gallatin), Quigley, Scofield, Sexton, Sherman, Smith, Southmayd, Stromnes, Toomey, Watson, White (Judith Basin), White (Hill), Mr. Speaker. Total 59.

Noes: Ahlgreen, Ballard, Brennan, Burris, Chapman, Conner, Connors, Egan, Emmons, Goodwin, Green (Dawson), Haight, Hamilton, Holding, Hinerman, Kathan, Lasby, Leary, Miller (Roosevelt), Mitchell, Mulholland, Neary, O'Brien, O'Byrne, Ormsbee, Petersen (Sheridan), Peterson (Valley), Rolph, Ryan, Spiegel, Stevens, Stimatz, Whaley, Worden. Total 34.

Absent and not voting: Fowler, Harlen, Logan, McLaughlin, Master-son, Nutting, Ritch, York. Total 8.

The following passed their vote: Cusick. Total 1.

The Speaker: Fifty-nine have voted "aye"; thirty-four have voted "no"; motion is lost as it takes two-thirds of those voting to override the veto.

It was moved by Byrne, duly seconded and carried, that the House recess until 1:30 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF SELECT COMMITTEES

We, your Conference Committee on House Bill No. 206, beg to report as follows: That the Senate has receded from its amendments and the bill is returned in its original form.

CHURCH,
COBURN,
THIEN,

From the Senate.

EMMONS,
BRENNAN,
PADBURY,

From the House.

On motion of Emmons, report adopted.

Mr. President: We, your Conference Committee, appointed for the purpose of considering Senate amendment to House Bill No. 140, respectfully report as follows:

That the Senate recede from its amendment.

PUTNAM,
ARNOLD,
MacGILVRA,

From the Senate.

BURRIS,
NUTTING,
LEAVITT,

From the House.

On motion of Leavitt, report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration Senate Bill No. 205 entitled: "An Act to provide for the appointment of a committee to investigate and recommend to the next Session of the Legislature a plan for the simplification of public legal documents and evidences of transfer of title to property; designating the composition of said committee; providing its compensation and duties, and appropriating money therefor," respectfully report as follows: That Senate Bill No. 205 be concurred in.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration Senate Bill No. 59 entitled: "An Act to amend Section 2201 R. C. M. 1921, as amended by Chapter 125 of the Session Acts of the Twenty-third Legislative Assembly of Montana of 1933, relating to the time of redemption of property from tax sales," respectfully report as follows: That Senate Bill No. 59 be not concurred in.

BOONE, Chairman.

On motion of Boone, report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration Senate Bill No. 57 entitled: "An Act establishing a State Temperance Commission, for the purpose of promoting temperance and decreasing the intemperate use of alcoholic liquors; preventing the use thereof by minors; creating a special state fund to be derived only from the liquor traffic to cover the cost of administering this Act; and making an appropriation from the general fund to meet expenses incident to administration of the Act before funds are available in the treasury to the credit of the 'temperance commission fund' herein established, and providing for the repayment of such appropriation to the general fund when moneys are available in the state treasury to the credit of the 'temperance commission fund, herein provided for," respectfully report as follows: That Senate Bill No. 57 be amended as follows: By adding after the word "and," the following words in Section 6, line 5 of the printed bill: "investigators by it designated are hereby vested with the powers of peace officers and are authorized," and that the bill, as amended be concurred in.

FOWLER, Chairman.

On motion of Fowler, report adopted.

Mr. Speaker: We, your Committee on Petroleum, Oil and Gas having had under consideration Senate Bill No. 217 entitled: "An Act to amend Chapter 109 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana relating to the regulation and sale of gasoline and other petroleum products, by adding after Section 19 thereof a new Section to be known as Section 19A, providing for the revocation by the Public Service Commission of the license to engage in the business of selling gasoline and other petroleum products issued to any person, firm, partnership, association or corporation, and granting the right of appeal where such revocation is ordered," respectfully report as follows: That Senate Bill No. 217 be not concurred in.

MINETTE, Chairman.

On motion of Minette, report adopted.

Mr. Speaker: We, your Committee on Education having had under consideration Senate Bill No. 145 entitled: "An Act to amend Sections 1493 to 1497, inclusive, of the Revised Codes of Montana of 1921, relating to the furnishing of free higher education to certain inmates of the State Orphans' Home, the State Industrial School and the State Vocational School for Girls," respectfully report as follows: That Senate Bill No. 145 be concurred in.

PETERSON of Valley, Chairman.

On motion of Peterson of Valley, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities having had under consideration Senate Bill No. 179 entitled: "An Act to amend Section 17 of Chapter One Hundred Nine (109) of the Session Laws of the Twenty-second Legislative Assembly of Montana of 1931 as last amended by Section 4 of Chapter Fifty-six (56) of the Session Laws of the Twenty-third Legislative Assembly of Montana of 1933, the same being an Act providing for the adoption of the managerial form of county government," respectfully report as follows: That Senate Bill No. 179 be amended as follows: Strike out the word, "last" in line three of the title; strike out the word "last" in line three of Section 1, and as amended be concurred in.

GOODWIN, Chairman.

On motion of Gordon, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities having had under consideration Senate Bill No. 152 entitled: "An Act to amend Section 5084, Revised Codes of Montana, 1921, relating to the payment of

judgments recovered against cities and towns," respectfully report as follows: That Senate Bill No. 152 be not concurred in.

GOODWIN, Chairman.

On motion of Gordon, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities having had under consideration Senate Bill No. 67 entitled: "An Act to amend Section 5308, Revised Codes of Montana, 1921, as amended by Chapter 54 of the Session Acts of the Twenty-first Legislative Assembly of Montana of 1929, relating to the vacation of plats in abandoned townsites, and repealing all Acts in conflict herewith," respectfully report as follows: That Senate Bill No. 67 be concurred in.

GOODWIN, Chairman.

On motion of Gordon, report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration Senate Bill No. 197 entitled: "An Act to amend Section 1219 of the Revised Codes of Montana of 1921, as amended by Chapter 120, Acts of the Nineteenth Legislative Assembly and to amend Sections 1221 and 1222 Revised Codes of Montana of 1921, all relating to the voting of additional school levies for district school purposes," respectfully report as follows: That Senate Bill No. 197 be concurred in.

ROLPH, Chairman.

On motion of Green of Dawson, report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 274 entitled: "An Act appropriating money for refunding the sum of One Hundred Thirty and no/100 Dollars (\$130.00) to the Columbia Casualty Company, a corporation," respectfully report as follows: That House Bill No. 274 do not pass.

FOWLER, Chairman.

On motion of Lovell, report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 434 entitled: "An Act appropriating money for the payment of a certain claim made by Pietro Maria Amabile Notti, as Consular Agent of Italy at Butte, Montana by reason of certain moneys belonging to Frank Deorro, deceased, and paid and delivered to the State Treasurer of the State of Montana pursuant to Section 10001 Revised Codes of Montana of 1921 as amended by Chapter 119 of the Session Laws of 1929 relating to the duties of public administrators in handling estate moneys and directing the State Auditor to draw his warrant in settlement of said claim," respectfully report as follows: That House Bill No. 434 do not pass.

FOWLER, Chairman.

On motion of Lovell, report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 57 entitled: "An Act providing for the refunding of money expended by any individual in the purchase of a liquor permit from the Montana Liquor Control Board for 1935," respectfully report as follows: That House Bill No. 57 do not pass.

FOWLER, Chairman.

On motion of Lovell, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND
THE SENATE

The Speaker,
House of Representatives,
Helena.

I have the honor to advise you that I have this day approved the following House measures:

H. B. No. 15—Appropriation to pay claim of Mrs. Catharine Cross-land Smith.

H. B. No. 64—Relating to depositing of funds in the hands of the State Treasurer.

H. B. No. 74—Relating to irrigation districts.

H. B. No. 90—Authorizing the State Depository Board to permit the State Treasurer to invest surplus cash in his office in registered warrants of the state.

H. B. No. 123—Appropriation for refund of excessive income tax collection from Robert Duncan Forbes.

H. B. No. 135—Creating the Volunteer Firemen's Compensation Fund.

H. B. No. 151—Providing that all property exempt from execution, including the homestead, to be set apart for use of family.

H. B. No. 262—Regulating and licensing the sale of commercial fertilizer.

H. B. No. 267—Relating to when new trials may be granted.

H. B. No. 329—Relating to support of wife and children on divorce or separation granted to wife.

H. B. No. 344—Relating to lewd and lascivious acts upon children.

H. B. No. 427—Relating to compensation of County Clerks for furnishing poll books.

Sub. for H. B. No. 66—Relating to marriage license and defining refusal of same.

F. H. COONEY, Governor.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 391, by Committee on Public Utilities, was this day recommended for non-concurrence by the Senate, and bill is herewith returned to the House.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended by the Senate, title and history agreed to, and bills are herewith transmitted to the House for concurrence in the Senate amendments:

Sub. H. B. No. 11, by Committee on Judiciary.

H. B. No. 31, by Foor.

Sub. H. B. No. 204, by Stevens and McLaughlin.

H. B. No. 224, by Ritch. Groene, Haight and Egan.

H. B. No. 246, by Nutting.

H. B. No. 350, by Joffray.

H. B. No. 353, by Judiciary Committee.

H. B. No. 539, by Appropriations Committee.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on roll call, concurred in the House amendments to:

S. B. No. 174.
S. B. No. 16.
S. B. No. 50.
Sub. S. B. No. 102.
S. B. No. 95.
S. B. No. 111.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day gave notice that he was about to sign, and did sign in open session:

S. B. Nos. 75, 78, 117, 25, 48, 167, 46, 76, 17, 129 and 27.
H. B. Nos. 486, 329, 344, 291, 74, 15 and Sub. 66.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the report of the Joint Committee on Constitutional Amendments was this day, on motion adopted.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and bills are herewith returned to the House:

H. J. M. No. 9, by Minette, et al.
H. J. M. No. 12, by Monahan.
H. B. No. 220, by Ritch.
H. B. No. 316, by Committee on State Lands.
Sub. H. B. No. 317, by Appropriation Committee.
H. B. No. 322, by Toomey.
H. B. No. 323, by Toomey.
H. B. No. 327, by Committee on Agriculture.
H. B. No. 333, by Foor.
H. B. No. 373, by Moss.
H. B. No. 429, by Brennan, by request.
H. B. No. 433, by Toomey, by request.
H. B. No. 448, by Burris.
H. B. No. 497, by Revenue and Taxation Committee.
H. B. No. 535, by Appropriations Committee.
H. B. No. 536, by Appropriations Committee.
H. B. No. 537, by Appropriations Committee.
H. B. No. 538, by Appropriations Committee.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Senate, and bills are herewith returned to the House:

H. B. No. 30, by Foor.

Sub. H. B. No. 232, by Committee on Dairying.

H. B. No. 379, by Committee on Public Utilities.

H. B. No. 381, by Committee on Public Utilities.

H. B. No. 493, by Stromnes.

H. B. No. 505, by O'Brien.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that the messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Enrolling: Reported S. B. Nos. 17, 25, 27, 46, 48, 75, 76, 78, 117, 129 and 167 correctly enrolled and duly verified.

Relief and Social Welfare: Recommended Sub. H. B. No. 195 be amended as per the attached, and as amended, be concurred in.

Taxation: That H. B. No. 522 be concurred in.

Constitutional Amendments: That H. B. No. 14 be concurred in.

Corporations Other Than Municipal: That H. B. Nos. 379 and 391 be not concurred in.

Judiciary: That H. B. Nos. 323, 338 and 413 be concurred in.

That H. B. Nos. 381, 493, 505 be not concurred in.

Stockgrowing and Grazing: That H. B. No. 478 be concurred in.

That H. B. No. 397 be amended in Section 6, line 27, by inserting after the word "such" the word "annual," and by striking out in Section 9, line 30, the words, "on the first day of January", and inserting in lieu thereof the words, "as of the first day of January"; and in Section 10, line 4, by striking the period after the word "Montana"; inserting a comma and adding; "Save and except that an interested party may seek review of the action of the Montana Grazing Commission in a district court of the county where the dispute or controversy arose within thirty (30) days after such decision of the Montana Grazing Commission, and trial of the issue in such court may be had on the record made before the Montana Grazing Commission or de novo. The district court may affirm reverse or nullify the decision of the Montana Grazing Commission. Appeals may be prosecuted from the judgment of the district court to the Supreme Court of Montana as in other cases."

Further amend by adding a new section to be known as Section 11 to read as follows: "If any clause, sentence, paragraph, subdivision, section or part of this Act shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such judgment shall not affect, impair, invalidate or confine the remainder of this Act but shall be confined to the clause, sentence, paragraph, subdivision, section or part immediately involved and the remainder of this Act shall be given effect."

Further amend by renumbering Section 11 as Section 12 and Section 12 as Section 13.

And as amended, be concurred in.

Enrolling: That S. B. No. 163 has been correctly enrolled and duly verified.

Education: That H. B. No. 30 be not concurred in.

That H. B. No. 293 be concurred in.

Counties and Towns: That H. B. No. 375 be concurred in.

That H. B. No. 137 be amended in line 24, original bill, being line 10 of the printed bill, by striking out the words "hold extra sessions not exceeding," and inserting in lieu thereof the words, "at any time by giving at least two days posted notice hold extra sessions of not over".

In lines 25 to 30 inclusive, original bill, being lines 11, 12, 13 and a portion of line 14, printed bill, by striking out the words: "whenever in the opinion of a majority of the members thereof such extra sessions are necessary for the dispatch of public business, and the Clerk at their direction has posted notice thereof for at least two days previous to the holding of each extra session and has notified the members of the board thereof;"

Amend after the words "public emergency" in line 2, page 2, original bill, being line 16, printed bill, by inserting the words, "or proper functioning with the Federal or State Governments or agencies thereof."

And as amended, be concurred in.

Counties and Towns: That H. B. No. 346 be amended by adding a new section to be known as Section 2: "All proceeds received from oil and gas leases of lands acquired by tax deeds by the county shall be applied in the same manner that moneys received from the sale of tax deed lands are now or hereafter required to be applied. Where the oil and gas leases are in lands which represent a fund or funds, or in which a fund or funds have an interest (other than tax deed lands) the proceeds shall be applied to such fund or funds having the equity or equities therein."

Amend by changing the numbering of Sections 2 and 3 to read "Section 3" and "Section 4".

And as amended, be concurred in.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Senate Committee on Relief and Social Welfare Amendments to Sub. H. B. No. 195:

Amend title, line 15, by striking out the words, "fifty per cent" and inserting in lieu thereof, "not to exceed seventy-five per cent".

Amend Section 1 by inserting at the beginning of said section the following: "Subject to the provisions of this Act every person residing in the State of Montana, if in need, shall be entitled to Old Age Pension assistance from the state."

Amend Section 1 by striking out in lines 30 and 31 the words: "consist of the Governor, Attorney General and State Auditor," and inserting in lieu thereof the words: "be the Montana Relief Commission."

Amend Section 2 by striking out the entire section and inserting in lieu thereof the following: "Section 2. There shall be established in each county of the State of Montana a county Old Age Pension Board hereinafter called the county Old Age Pension Commission. The county Old Age Pension Commission shall consist of the boards of County Commissioners of the respective counties of the State of Montana and the County Relief Committee designated by the Montana Relief Commission, both to serve as such without any additional compensation."

Amend Section 8 by striking out in lines 22 and 23 the following words: "to the extent of fifty per centum (50%)", and inserting in lieu thereof "in an amount not exceeding seventy-five per centum (75%)".

Amend Section 17 by striking out all of Section 17 and renumbering the remaining sections.

Amend Section 22, now renumbered Section 21, by inserting at the beginning of said section the following words: "Claims against the estate of an assisted person."

Amend Section 25, by striking out in line 5 the words "a county", and inserting in lieu thereof the words: "The County Old Age Pension Commission." And in line 6, by striking out after the word "by" the remainder of the section, and inserting in lieu thereof the words: "The State Old Age Pension Commission."

Amend Section 31, now renumbered Section 30, by inserting at the beginning thereof: "Chapter 72 of the Laws of the Eighteenth Legislative Assembly and".

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That Sub. H. B. No. 11 be concurred in.

That H. B. No. 224 be amended in Section 3 by striking all of Section 3.

Be amended in Section 4 by striking out in lines 1 and 2, the words, "or from the sale thereof".

Be amended in Section 5 by striking out in lines 2 and 3 the words, "and any and all sales and conveyances thereof".

Be amended in the title by striking out in lines 13 and 14, "permitting the sale and conveyance of such mineral reservations or parts thereof"; by striking out in line 15 of the title, "or the sale thereof."

Be amended in the title by striking out in line 16 the words, "sales, conveyances."

That the Secretary be instructed to renumber sections accordingly. And as amended, be concurred in.

That H. B. No. 316 be concurred in.

That Sub. H. B. No. 204, having been made a special order of business for this time, be amended in Section 2, by striking out in line 4 the words: "within the limits of the State Prison property," and inserting in lieu thereof the words, "at some convenient place in or in the environs to the capital city of the state";

Be amended in Section 2 by striking out that portion of the amendment placed therein by the Senate Judiciary Committee reading as follows: "Such executions must in no event be held within the walls of the State Prison proper."

And as amended, be concurred in.

That H. B. No. 539 be concurred in.

That consideration of Sub. H. B. No. 232 be indefinitely postponed.

That H. B. No. 323 be concurred in.

That consideration of H. B. Nos. 478, 397 and Sub. 522 be passed for the day.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motions were this day made, duly seconded and carried:

On motion, H. B. No. 397 was taken from General File and referred to the Judiciary Committee.

On motion, H. B. No. 478 was taken from General File and referred to Judiciary Committee.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Ahlgreen, duly seconded, that the House reconsider its action on Senate Bill No. 144.

After considerable debate, the previous question was moved by Emmons, duly seconded and carried.

Whereupon motion by Ahlgreen was put and lost.

The following motion was made by Moss, and referred to Committee on Rules, Joint Rules and Order of Business: Move that roll call be had on all conference committee reports.

It was moved by Stromnes, duly seconded, that the House reconsider its action on the adoption of the report of the Committee on Revenue and Taxation on Senate Bill No. 186.

After considerable debate the previous question was moved by Spiegel, duly seconded and carried.

Whereupon motion by Stromnes was put and lost.

The Speaker announced he was about to sign Senate Bill No. 95, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 50, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 174, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 102, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 163, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 111, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills as correctly engrossed: H. B. 366.

EWING, Chairman.

Without objection, report adopted.

THIRD READING OF HOUSE BILLS

H. B. No. 366, introduced by Boone, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Emmons, Ewing, Fowler, Goodwin, Gray, Green (Dawson), Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Hinerman, Joffray, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Logan, Lott, McCausland, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, O'Brien, O'Byrne, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Ryan, Scofield, Sherman, Southmayd, Stimatz, Stromnes, Watson, Whaley, White (Judith Basin), Mr. Speaker. Total 76.

Noes: Emmett, Gordon, Haight, Holding, Lippard, Rolph, Sexton, White (Hill). Total 8.

Absent and not voting: Burris, Egan, Foor, Groene (Fergus), Lovell, McLaughlin, Nutting, O'Connor, Peterson (Valley), Quigley, Ritch, Smith, Spiegel, Stevens, Toomey, Worden, York. Total 17.

The following passed their vote: Kelly. Total 1.

The Speaker: Seventy-six have voted "aye"; eight have voted "no"; House Bill No. 366 has passed the House.

THIRD READING OF SENATE BILLS

The following, having been read three several times, history and title agreed to were disposed of as follows:

S. B. No. 86, introduced by Wass, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Balgord, Ballard, Bertsche, Boone, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Emmett, Emmons, Ewing, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, McCausland, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Watson, Whaley, White (Judith Basin), White (Hill), Worden, Mr. Speaker. Total 86.

Noes: None.

Absent and not voting: Anderson, Burris, Egan, Foor, Heavlin, Lovell, McLaughlin, Metlen, Minette, Moss, Ormsbee, Peterson (Valley), Ritch, Smith, Toomey, York. Total 16.

Mr. Speaker: Eighty-six have voted "aye"; none have voted "no"; S. B. No. 86 has been concurred in by the House.

S. B. No. 109, introduced by Holt and Delaney, was concurred in by the following vote:

Ayes: Ahlgreen, Balgord, Ballard, Bertsche, Boone, Brennan, Busch, Buttelman, Chamberlain, Chapman, Connors, Coultas, Cusick, Doe, Ecton, Emmett, Emmons, Ewing, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan,

Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Lemmer, Liggett, Lippard, Logan, Lott, Loveil, McCausland, Manning, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Ryan, Scofield, Sherman, Southmayd, Stevens, Stimatz, Watson, Whaley, White (Judith Basin), Worden, Mr. Speaker. Total 78.

Noes: Anderson, Ormsbee, Spiegel, White (Hill). Total 4.

Absent and not voting: Acher, Burris, Byrne, Conner, Egan, Foor, Heavlin, Leavitt, McLaughlin, Masterson, Metlen, O'Byrne, Peterson (Valley), Ritch, Rolph, Sexton, Smith, Stromnes, Toomey, York. Total 20.

Mr. Speaker: Seventy-eight have voted "aye"; four have voted "no"; S. B. No. 109 has been concurred in by the House.

S. B. No. 110, introduced by Holt and Delaney, was concurred in by the following vote:

Ayes: Anderson, Balgord, Ballard, Bertsche, Boone, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Doe, Ecton, Emmett, Emmons, Ewing, Fowler, Goodwin, Gordon, Gray, Green (Dawson) Haight, Hall, Hamilton, Harwood, Haugan, Heavlin, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Lemmer, Liggett, Lippard, Logan, Lott, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Rolph, Scofield, Sherman, Southmayd, Stevens, Stimatz, Watson, Whaley, White (Judith Basin), Worden, Mr. Speaker. Total 75.

Noes: Ryan, Spiegel, White (Hill). Total 3.

Absent and not voting: Acher, Ahlgreen, Brennan, Conner, Coultas, Cusick, Egan, Foor, Groene (Fergus), Harlen, Leavitt, Lovell, McCausland, McLaughlin, Metlen, Minette, Nelson, Peterson (Valley), Ritch, Sexton, Smith, Stromnes, Toomey, York. Total 24.

Mr. Speaker: Seventy-five have voted "aye"; three have voted "no"; S. B. No. 110 has been concurred in by the House.

S. B. No. 11, introduced by Clifford, was concurred in by the following vote:

Ayes: Anderson, Brennan, Burris, Buttelman, Chamberlain, Chapman, Connors, Coultas, Ewing, Fowler, Green (Dawson), Haight, Harlen, Hinerman, Kathan, Kuhl, Leavitt, Liggett, Lott, Lovell, McCausland, Masterson, Miller (Roosevelt), Minette, Mitchell, Monahan, Moss, Nutting, O'Brien, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Ritch, Rolph, Sherman, Southmayd, Stevens, Whaley, White (Judith Basin), White (Hill), Mr. Speaker. Total 44.

Noes: Acher, Balgord, Bertsche, Busch, Conner, Doe, Ecton, Emmett, Emmons, Goodwin, Gordon, Hall, Hamilton, Haugan, Heavlin, Hedden, Holding, Johnson, Kelly, Lasby, Leary, Lemmer, Lippard, Miller (Big Horn), Mulholland, Mundy, Nelson, O'Byrne, Padbury, Ryan, Scofield, Sexton, Spiegel, Stimatz, Stromnes, Watson, Worden. Total 37.

Absent and not voting: Ahlgreen, Ballard, Boone, Byrne, Cusick, Egan, Foor, Gray, Groene (Fergus), Harwood, Joffray, Kruse, Logan, McLaughlin, Manning, Metlen, Neary, Peterson (Valley), Smith, Toomey, York. Total 21.

Mr. Speaker: Forty-four have voted "aye"; thirty-seven have voted "no"; S. B. No. 11 has been concurred in by the House.

S. B. No. 108, introduced by Meyer, was not concurred in by the following vote:

Ayes: Ahlgreen, Boone, Brennan, Burris, Buttelman, Chamberlain, Chapman, Connors, Coultas, Cusick, Ecton, Emmett, Emmons, Goodwin, Hedden, Hinerman, Johnson, Leavitt, Masterson, Metlen, Miller (Roosevelt), Mitchell, Mulholland, Neary, Nutting, O'Brien, O'Byrne, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Rolph, Ryan, Southmayd, Spiegel, Stevens, Whaley, Mr. Speaker. Total 40.

Noes: Acher, Anderson, Balgord, Bertsche, Busch, Byrne, Conner, Ewing, Gordon, Gray, Green (Dawson), Hall, Hamilton, Harwood, Haugan, Heavlin, Holding, Kelly, Kruse, Kuhl, Lasby, Leary, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Miller (Big Horn), Minette, Monahan, Mundy, Nelson, O'Connor, Quigley, Scofield, Sexton, Sherman, Stimatz, Stromnes, White (Judith Basin), White (Hill), Worden. Total 44.

Absent and not voting: Ballard, Doe, Egan, Foor, Groene (Fergus), Haight, Harlen, Joffray, McLaughlin, Manning, Moss, Ritch, Smith, Toomey, Watson, York. Total 16.

The following passed their vote: Fowler, Kathan. Total 2.

Mr. Speaker: Forty have voted "aye"; forty-four have voted "no"; S. B. No. 108 was not concurred in by the House.

S. B. No. 199, introduced by Cotter, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Conner, Connors, Coultas, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Fowler, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harwood, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Whaley, White (Judith Basin), White (Hill), Worden, Mr. Speaker. Total 83.

Noes: None.

Absent and not voting: Ballard, Bertsche, Chapman, Doe, Foor, Goodwin, Groene (Fergus), Harlen, Haugan, Joffray, McLaughlin, Manning, Metlen, Minette, Moss, Smith, Toomey, Watson, York. Total 19.

Mr. Speaker: Eighty-three have voted "aye"; none have voted "no"; S. B. No. 199 has been concurred in by the House.

S. B. No. 103, introduced by Hammond, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Boone, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harlen, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kuhl, Leary, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland,

Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Padbury, Parker, Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sexton, Spiegel, Stevens, Stimatz, Stromnes, Watson, Whaley, White (Judith Basin), White (Hill), Mr. Speaker. Total 79.

Noes: Haight, Lasby, Worden. Total 3.

Absent and not voting: Ballard, Brennan, Foor, Harwood, Haugan, Joffray, Kruse, Leavitt, McCausland, McLaughlin, Manning, Moss, Ormsbee, Petersen (Sheridan), Rolph, Sherman, Smith, Southmayd, Toomey, York. Total 20.

Mr. Speaker: Seventy-nine have voted "aye"; three have voted "no"; S. B. No. 103 had been concurred in by the House.

MOTIONS AND RESOLUTIONS

It was moved by Ritch, duly seconded and carried, that the House reconsider its action on Senate Bill No. 108.

THIRD READING OF SENATE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

S. B. No. 108, introduced by Meyer, was concurred in by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Boone, Burris, Buttelman, Byrne, Chamberlain, Chapman, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Haugan, Hedden, Hinerman, Johnson, Kathan, Kruse, Lasby, Leavitt, Liggett, Lippard, Lovell, Masterson, Miller (Roosevelt), Miller (Big Horn), Monahan, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Byrne, Ormsbee, Parker, Petersen (Sheridan), Peterson (Valley), Ritch, Ryan, Scofield, Sherman, Southmayd, Spiegel, Stevens, Toomey, Whaley, White (Judith Basin), Mr. Speaker. Total 58.

Noes: Acher, Bertsche, Busch, Green (Dawson), Groene (Fergus), Hall, Heavlin, Holding, Joffray, Kelly, Leary, Lemmer, Logan, Lott, McCausland, Minette, Nelson, O'Connor, Padbury, Peterson (Gallatin), Quigley, Sexton, Stimatz, Stromnes, Watson, White (Hill), Worden. Total 27.

Absent and not voting: Bennan, Connor, Fowler, Gray, Hamilton, Harlen, Kuhl, McLaughlin, Manning, Mitchell, Moss, Rolph, Smith, York. Total 15.

The following passed their vote: Haight, Harwood. Total 2.

Mr. Speaker: Fifty-eight have voted "aye"; twenty-seven have voted "no"; S. B. No. 108 has been concurred in by the House.

S. B. No. 54, introduced by Committee on Education was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Boone, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Egan, Emmons, Foor, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Mundy, Neary, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sherman, Stevens, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, Mr. Speaker. Total 77.

Noes: Bertsche, Ecton, Emmett, Ewing, Lemmer, Nelson, Nutting, Stimatz, Stromnes. Total 9.

Absent and not voting: Brennan, Doe, Fowler, Hamilton, McLaughlin, Manning, Metlen, M.nette, Moss, Parker, Rolph, Sexton, Smith, Southmayd, Spiegel, York. Total 16.

The Speaker: Seventy-seven have voted "aye"; nine have voted "no"; S. B. No. 54 has been concurred in by the House.

S. B. No. 28, introduced by Ekegren and Arnold, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Coul-tas, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lovell, McCausland, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulhoiland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sexton, Sherman, Stevens, Stimatz, Toomey, Whaley, White (Judith Basin), White (Hill), Mr. Speaker. Total 82.

Noes: Masterson, Watson, Worden. Total 3.

Absent and not voting: Brennan, Byrne, Doe, Fowler, Lott, McLaughlin, Manning, Metlen, Minette, Moss, Parker, Rolph, Smith, Southmayd, Spegei, Stromnes, York. Total 17.

The Speaker: Eighty-two have voted "aye"; three have voted "no"; S. B. No. 28 has been concurred in by the House.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Hedden of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That Senate Amendments to House Bill No. 336 be concurred in.

That Senate Bill No. 4 be concurred in.

That Senate Bill No. 170 be amended as follows: Amend the title by inserting after the word "state" the following: "or the United States of America," and striking out the word "state" before the word "park"; amend Section 1 by inserting in line 2 after the word "Montana" the words "or the United States of America" and in line 4 strike out "state" in front of "park" and insert after the word "state" the words "or Federal Government" and in line 5 after the word "state" insert "or Federal Government"; and in line 6 after the word "state" insert "or Federal Government"; and as amended be concurred in.

That Senate Bill No. 2 be amended as follows: Amend Section 1 by striking out in line 10 the words "the court"; amend Section 1 by striking out in line 15 the word "proof" and inserting in lieu thereof the word "evidence"; and as amended be concurred in.

That Substitute Senate Bill No. 92 be passed temporarily.

That Senate Bill No. 87 be concurred in.

That Senate Bill No. 90 be amended as follows: Amend Section 11 in line 2, after the word "board" by inserting the word "instrumentality"; and as amended be concurred in.

That Senate Bill No. 128 be passed temporarily.

HEDDEN, Chairman.

On motion of Hedden, report adopted.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred H. B. Nos. 171, 241, 292, 296, 341, H. J. R. 5, H. J. R. 6, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 1:25 o'clock P. M. delivered to the Governor for his approval.

MONAHAN, Chairman.

Without objection, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that the House reconsider its action taken yesterday on Senate Bill No. 164.

It was moved by Byrne, duly seconded and carried, that the House request the Honorable Senate to return Senate Bill No. 164 for further consideration.

It was moved by Busch, duly seconded and carried, that Senate Bill No. 73 be placed on General Orders.

It was moved by Worden, duly seconded, that the House reconsider its action on Special Order of Business on House Bill No. 191.

A Call of the House was demanded by the required number.

On motion of Emmons, duly seconded and carried, further call of the House was dispensed with.

Whereupon motion by Worden was put and carried.

It was moved by Metlen, duly seconded, that House Bill No. 191 become a law notwithstanding the veto of the Governor. Whereupon, such motion, requiring a two-thirds vote, was lost by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Boone, Busch, Buttelman, Byrne, Coultas, Cusick, Doe, Ecton, Ewing, Foor, Fowler, Gordon, Gray, Groene (Fergus), Hall, Harlen, Harwood, Haugan, Hedden, Joffray, Johnson, Kelly, Kruse, Kuhl, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, McCausland, Manning, Metlen, Miller (Big Horn), Minette, Monahan, Moss, Mundy, Nelson, Nutting, O'Connor, Padbury, Parker, Peterson (Gallatin), Quigley, Ritch, Scofield, Sexton, Sherman, Southmayd, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Mr. Speaker. Total 62.

Noes: Baliard, Brennan, Burris, Chamberlain, Chapman, Connors, Egan, Emmett, Emmons, Goodwin, Green (Dawson), Haight, Hamilton, Holding, Hinerman, Kathan, Lasby, Leary, Lovell, Masterson, Miller (Roosevelt), Mulholland, Neary, O'Byrne, Ormsbee, Petersen (Sheridan), Peterson (Valley), Rolph, Ryan, Spiegel, Stevens, Stimatz, Worden. Total 33.

Absent and not voting: Conner, Heavlin, McLaughlin, Mitchell, O'Brien, Smith, York. Total 7.

The Speaker: Sixty-two have voted "aye"; thirty-three have voted "no"; the motion is lost.

It was moved by Byrne, duly seconded and carried, that the House adjourn until 1:00 o'clock P. M. Sunday, March 3, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FIFTY-SIXTH DAY

House of Representatives,
Helena, Montana, March 3, 1935.

House convened, pursuant to adjournment, at 1:00 o'clock P. M.

Mr. Speaker in the Chair.

Invocation by Chaplain.

A quorum for the transaction of business was present.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the fifty-fifth legislative day, find the same to be correct.

QUIGLEY, Chairman.

Without objection, report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Insurance, having had under consideration Senate Bill No. 118, entitled: "An Act to amend Section 6170 and Section 6183 of the Revised Codes of Montana, 1921, as amended by Chapter 73, Session Laws of 1931, relating to rural mutual fire insurance companies," respectfully report as follows: That Senate Bill No. 118 be concurred in.

O'BYRNE, Chairman.

On motion of O'Byrne, report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration Senate Bill No. 153, entitled: "An Act to prohibit the conducting of entertainment at, in, about or adjacent to any beer hall, room, establishment or premises in which beer is sold under the laws of Montana; defining the terms used in this Act; providing penalties for the violation of this Act, and repealing all Acts in conflict herewith," respectfully report as follows: That Senate Bill No. 153 be amended as follows: Amend the title by inserting after the word "Montana," in the fourth line, "prohibiting attendance of minors."

Amend Section 1 by striking out in line 2 the words "including dancing" and insert in lieu thereof the following: "Particularly any and all forms of dancing, including fan-dancing, strip-dancing and taxi-dancing; excepting, however, usual and conventional dancing participated in solely by bona-fide patrons."

Strike out Sections 2 and 3 and insert a new section 2 in lieu thereof as follows: "Hereafter it shall be unlawful for any person under the age of 21 years to be admitted to or to be present in any beer hall or any room or place or establishment at which beer is sold or licensed to be sold either under the provisions of the Montana Beer Act or any other law of Montana, now or hereafter in effect regulating and licensing its sale of beer where any entertainment of any sort or kind is conducted or provided or permitted to be conducted or provided, and if any person whose age is in doubt should be admitted or be present in any such Beer Hall or room after openly avowing or affirming that he or she has reached the age of 21

years, and it should subsequently be determined that he or she had not attained the age of 21 years when so admitted, such person shall be guilty of a misdemeanor and upon conviction shall be fined not exceeding twenty dollars, or imprisonment not exceeding 30 days or both," and as amended, be concurred in.

MONAHAN, Chairman.

On motion of Monahan, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the report of the Joint Conference Committee on Senate Amendments to House Bill No. 76 was this day, on roll call, adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the request of the House for the return of S. B. No. 164 was this day, on motion, granted, and bill is herewith returned.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that Senate Bill No. 164 be placed on General Orders.

It was moved by Groene of Fergus, duly seconded and carried, that Senate Bill No. 153 be mimeographed with amendments incorporated, and placed on the members desks for consideration.

REPORTS OF STANDING COMMITTEE

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following correctly enrolled: House Bills Nos. 497, 220, 429, 327, 433, 333, 372, 536, 535, 538, 136, House Joint Memorials Nos. 9 and 12.

MONAHAN, Chairman.

Without objection, report adopted.

I have read House Bill No. 497 as reported from the Enrolling Committee and certify same to be correct.

ROLPH.

I have read house Bill No. 220 as reported from the Enrolling Committee and certify same to be correct.

RITCH.

I have read House Bill No. 429 as reported from the Enrolling Committee and certify same to be correct.

BRENNAN.

I have read House Bill No. 327 as reported from the Enrolling Committee and certify same to be correct.

CHAPMAN.

I have read House Bill No. 433 as reported from the Enrolling Committee and certify same to be correct.

TOOMEY.

I have read House Bill No. 333 as reported from the Enrolling Committee and certify same to be correct.

FOOR.

I have read House Bill No. 372 as reported from the Enrolling Committee and certify same to be correct.

NUTTING.

I have read House Bill No. 536 as reported from the Enrolling Committee and certify same to be correct.

FOWLER.

I have read House Bill No. 535 as reported from the Enrolling Committee and certify same to be correct.

FOWLER.

I have read House Bill No. 538 as reported from the Enrolling Committee and certify same to be correct.

FOWLER.

I have read House Bill No. 136 as reported from the Enrolling Committee and certify same to be correct.

GROENE of Fergus.

I have read House Joint Memorial No. 12 as reported from the Enrolling Committee and certify same to be correct.

MONAHAN.

I have read House Joint Memorial No. 9 as reported from the Enrolling Committee and certify same to be correct.

MINETTE.

The Speaker announced he was about to sign House Bill No. 497, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 220, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 429, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 327, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 433, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 333, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 372, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 536, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 535, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 538, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 136, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Joint Memorial No. 12, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Joint Memorial No. 9, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF THE SAME

The following Bill, introduced by unanimous consent, having been read first and second time at length, was referred to the Committee on Appropriations:

House Bill No. 540, introduced by Committee on Appropriations: A Bill for an Act entitled: "An Act to appropriate money for the payment of expenses of the Twenty-fourth Legislative Assembly of the State of Montana."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 540, entitled: "An Act to appropriate money for the payment of expenses of the Twenty-fourth Legislative Assembly of the State of Montana," respectfully report as follows: That House Bill No. 540 do pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Leavitt of Custer in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That Senate amendments to House Bill No. 11 be concurred in.

That Senate amendments to House Bill No. 31 be concurred in.

That Senate amendments to House Bill No. 246 be concurred in.

That Senate amendments to House Bill No. 350 be not concurred in and that a Conference Committee be appointed and a like committee requested from the Senate.

That Senate amendments to House Bill No. 353 be concurred in.

That Senate amendments to House Bill No. 359 be concurred in.

That Senate amendments to House Bill No. 224 be concurred in.

That Senate amendments to Substitute House Bill No. 204 be not concurred in and that a Conference Committee be appointed and a like committee be requested from the Senate.

LEAVITT, Chairman.

On motion of Leavitt, report adopted.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

Senate amendments to House Bill No. 336, introduced by Leavitt, were concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Conner, Connors, Coultas, Cusick, Doe, Ecton, Emmett, Emmons, Foor, Goodwin, Gordon, Gray, Green (Dawson), Hall, Hamilton, Harlen, Harwood, Haugan, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Logan, Lott, Lovell, McCausland, Manning, Masterson, Miller (Roosevelt), Minette, Mitchell, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Watson, Whaley, White (Judith Basin), White (Hill), Worden, Mr. Speaker. Total 75.

Noes: Stimatz. Total 1.

Absent and not voting: Bertsche, Boone, Chapman, Egan, Ewing, Fowler, Groene (Fergus), Haight, Heavlin, Hedden, Holding, Hinerman, Joffray, Leary, Lemmer, Liggett, Lippard, McLaughlin, Metlen, Miller (Big Horn), Monahan, Ritch, Stevens, Stromnes, Toomey, York. Total 26.

The Speaker: Seventy-five have voted "aye," one has voted "no"; Senate amendments to House Bill No. 336 have been concurred in.

Senate amendments to House Bill No. 11 were concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Doe, Ecton, Emmett, Emmons, Foor, Goodwin, Green (Dawson), Hall, Hamilton, Harlen, Harwood, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Logan, Lott, Lovell, McCausland, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sherman, Smith, Southmayd, Spiegel, Stevens, Stromnes, Watson, Whaley, White (Judith Basin), White (Hill), Worden, Mr. Speaker. Total 75.

Noes: Gordon, Sexton, Stimatz. Total 3.

Absent and not voting: Ballard, Bertsche, Cusick, Egan, Ewing, Fowler, Gray, Groene (Fergus), Haight, Haugan, Heavlin, Hedden, Holding, Joffray, Lemmer, Liggett, Lippard, McLaughlin, Minette, Moss, O'Brien, Ritch, Toomey, York. Total 24.

The Speaker: Seventy-five have voted "aye," three have voted "no"; Senate amendments to House Bill No. 11 have been concurred in.

Senate amendments to House Bill No. 31 were concurred in by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Ecton, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Hall, Hamilton, Harlen, Haugan, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Logan, Lott, Lovell, McCausland, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Mulholland, Mundy, Neary, Nelson, Nutting, O'Byrne, O'Connor, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Southmayd, Stevens, Stimatz, Stromnes, Watson, Whaley, White (Hill), Worden, Mr. Speaker. Total 73.

Noes: Padbury, Smith, White (Judith Basin). Total 3.

Absent and not voting: Acher, Ballard, Bertsche, Boone, Cusick, Doe, Egan, Fowler, Groene (Fergus), Haight, Harwood, Heavlin, Hedden, Holding, Lemmer, Liggett, Lippard, McLaughlin, Monahan, Moss, O'Brien, Ormsbee, Ritch, Spiegel, Toomey York. Total 26.

The Speaker: Seventy-three have voted "aye," three have voted "no"; Senate amendments to House Bill No. 31 have been concurred in.

Senate amendments to House Bill No. 246 were concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Busch, Buttelman, Byrne, Chamberlain, Coultas, Ecton, Emmett, Ewing, Foor, Goodwin, Gordon, Haight, Hall, Harlen, Haugan, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Lasby, Leary, Leavitt, Lovell, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Moss, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Rolph, Scofield, Sexton, Smith, Spiegel, Stevens, Watson, Whaley, White (Judith Basin), Worden, Mr. Speaker. Total 60.

Noes: Brennan, Burris, Emmons, Ryan, Sherman, Stimatz, White (Hill), Total 7.

Absent and not voting: Bertsche, Boone, Chapman, Conner, Connors, Cusick, Doe, Egan, Fowler, Gray, Green (Dawson), Groene (Fergus), Hamilton, Harwood, Heavlin, Hedden, Holding, Kuhl, Lemmer, Liggett, Lippard, Logan, Lott, McCausland, McLaughlin, Monahan, Nelson, O'Byrne, Ormsbee, Quigley, Ritch, Southmayd, Stromnes, Toomey, York. Total 35.

The Speaker: Sixty have voted "aye," seven have voted "no"; Senate amendments to House Bill No. 246 have been concurred in.

Senate amendments to House Bill No. 224 were concurred in by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Conner, Connors, Coultas, Ecton, Emmett, Emmons, Ewing, Goodwin, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harlen, Haugan, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Leary, Leavitt, Lott, Lovell, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Sexton, Smith, Spiegel, Stevens, Watson, Whaley, White (Judith Basin), White (Hill), Worden, Mr. Speaker. Total 67.

Noes: Stimatz. Total 1.

Absent and not voting: Acher, Ballard, Bertsche, Boone, Chapman, Cusick, Doe, Egan, Foor, Fowler, Groene (Fergus), Harwood, Heavlin, Hedden, Holding, Lasby, Lemmer, Liggett, Lippard, Logan, McCausland, McLaughlin, Minette, Monahan, Moss, Nelson, Ormsbee, Ritch, Scofield, Sherman, Southmayd, Stromnes, Toomey, York. Total 34.

The Speaker: Sixty-seven have voted "aye," one has voted "no"; Senate amendments to House Bill No. 224 have been concurred in.

Senate amendments to House Bill No. 353 were concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Boone, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Coultas, Ecton, Emmett, Emmons, Ewing, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Hall, Hamilton, Haugan, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lippard, Lott, Lovell, McCausland, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Sexton, Sherman, Smith, Spiegel, Watson, Whaley, White (Judith Basin), White (Hill), Worden, Mr. Speaker. Total 73.

Noes: Stimatz. Total 1.

Absent and not voting: Ballard, Bertsche, Burris, Conner, Cusick, Doe, Egan, Foor, Fowler, Haight, Harlen, Harwood, Heavlin, Hedden, Holding, Lemmer, Liggett, Logan, McLaughlin, Monahan, Moss, Ritch, Scofield, Southmayd, Stevens, Stromnes, Toomey, York. Total 28.

The Speaker: Seventy-three have voted "aye," one has voted "no"; Senate amendments to House Bill No. 353 have been concurred in.

Senate amendments to House Bill No. 539 were concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Boone, Buttelman, Byrne, Chamberlain, Chapman, Connors, Coultas, Cusick, Ecton, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Hall, Hamilton, Haugan, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Lasby, Leary, Leavitt, Lippard, Lott, Lovell, McCausland, Manning, Masterson, Miller (Roosevelt), Minette, Mitchell, Mundy, Neary, Nelson, Nutting, O'Brien, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Scofield, Sherman, Smith, Southmayd, Stevens, Stimatz, Watson, Whaley, White (Judith Basin), White (Hill), Worden, Mr. Speaker. Total 68.

Noes: Mulholland, O'Byrne, Ryan, Spiegel. Total 4.

Absent and not voting: Ballard, Bertsche, Brennan, Burris, Busch, Conner, Doe, Egan, Emmett, Fowler, Haight, Harlen, Harwood, Heavlin, Hedden, Holding, Kuhl, Lemmer, Liggett, Logan, McLaughlin, Metlen, Miller (Big Horn), Monahan, Moss, Ritch, Sexton, Stromnes, Toomey, York. Total 30.

The Speaker: Sixty-eight have voted "aye," four have voted "no"; Senate amendments to House Bill No. 539 have been concurred in.

THIRD READING OF SENATE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 87, introduced by Sparling, was concurred in by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Connors, Coultas, Cusick, Doe, Ecton, Emmett, Emmons, Ewing, Foor, Gordon, Gray, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harlen, Haugan, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lippard, Lott, Lovell, McCausland, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Mulholland, Neary, Nutting, O'Brien, O'Byrne, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ryan, Scofield, Sherman, Smith, Southmayd, Spiegel, Watson, Whaley, White (Judith Basin), White (Hill), Worden, Mr. Speaker. Total 72.

Noes: Stimatz. Total 1.

Absent and not voting: Acher, Bertsche, Byrne, Conner, Egan, Fowler, Goodwin, Haight, Harwood, Heavlin, Hedden, Holding, Lemmer, Liggett, Logan, McLaughlin, Minette, Monahan, Moss, Mundy, Nelson, O'Connor, Ritch, Rolph, Sexton, Stevens, Stromnes, Toomey, York. Total 29.

The Speaker: Seventy-two have voted "aye", one has voted "no"; Senate Bill No. 87 has been concurred in.

Senate Bill No. 170, introduced by Putnam, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Haugan, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Leary, Leavitt, Lippard, Logan, Lott, Lovell, McCausland, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sherman, Smith, Southmayd, Spiegel, Stimatz, Watson, Whaley, White (Judith Basin), White (Hill), Mr. Speaker. Total 77.

Noes: Lasby, Worden. Total 2.

Absent and not voting: Bertsche, Byrne, Egan, Fowler, Groene (Fergus), Harlen, Harwood, Heavlin, Hedden, Holding, Lemmer, Liggett, McLaughlin, Monahan, Moss, O'Byrne, Peterson (Gallatin), Ritch, Sexton, Stevens, Stromnes, Toomey, York. Total 23.

The Speaker: Seventy-seven have voted "aye," two have voted "no"; Senate Bill No. 170 has been concurred in.

It was moved by O'Connor, duly seconded and carried, that consideration of Senate Bill No. 4 on Third Reading be passed for the day.

The House recessed for a Joint Informal Session for the purpose of conducting memorial services in honor of the late Senator Thomas J. Walsh. John J. Jewell, Chief Clerk, read the address of acceptance given by Senator Walsh at the Thirteenth Legislative Session. Mr. Tom J. Davis of Butte, Montana, gave a short talk on the life of Senator Walsh. The Joint informal Session was then dissolved.

House resumed. Mr. Speaker in the Chair.

The Speaker announced he was about to sign Senate Bill No. 214, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 161, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 16, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 34, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 88, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 172, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 77, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

REPORTS OF SELECT COMMITTEES

Mr. President:

Mr. Speaker: We, your Joint Committee on Conference on House Bill No. 279, beg leave to report as follows:

It is our decision that the Senate amendments to House Bill No. 279 be rescinded.

HAMILTON,
MONAHAN,
SMITH,
For the House.

SIMMONS,
SHANNON,
ANDERSON,
For the Senate.

On motion of Smith, duly seconded, the Conference Committee adopted report on Senate amendments to House Bill No. 279 by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Burris, Busch, Buttelman, Byrne, Chamberlain, Connors, Coultas, Doe, Egan, Emmons, Ewing, Foor, Fowler, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Harlen, Haugan, Hedden, Holding, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lippard, Logan, Lott, Lovell, McCausland, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Stevens, Stromnes, Whaley, White (Judith Basin), White (Hill), Mr. Speaker. Total 74.

Noes: Minette, Stimatz. Total 2.

Absent and not voting: Bertsche, Boone, Brennan, Chapman, Conner, Cusick, Ecton, Emmett, Goodwin, Hamilton, Harwood, Heavlin, Hinerman, Lemmer, Liggett, McLaughlin, Manning Metlen, Monahan, O'Brien, Peterson (Gallatin), Spiegel, Toomey, Watson, Worden, York. Total 26.

The Speaker: Seventy-four have voted "aye," two have voted "no"; the Conference Committee report on House Bill No. 279 has been adopted.

The following report was read:

Mr. President:

Mr. Speaker: We, your Joint Conference Committee appointed for the purpose of considering Senate Substitute for Senate Substitute for House Bill No. 3 and House Bills 218 and 289, respectfully report as follows:

We respectfully recommend that House Bills 218 and 289 be placed on General File in the Senate, without recommendation, in the order above mentioned. That action on Senate Substitute for Senate Substitute for House Bill No. 3 be deferred pending final action on said Bills 218 and 289.

GROENE,
LEAVITT,
GRAY,

For the House.

ARNOLD,
MELTON,
KALBERG,

For the Senate.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Water Conservation and Flood Control, having had under consideration Senate Bill No. 155, entitled: "An Act to permit the State of Montana and the counties of such state to co-operate with the State Water Conservation Board in the construction of water conservation projects within the State of Montana, and to permit the inclusion in such projects of state lands, school lands, and lands owned by counties, and subjecting such lands to certain obligations," respectfully report as follows: That Senate Bill No. 155, be amended as follows: Amend the title in line 8 and 9 of the original typed bill, by striking out the words "inclusion in such projects of" and inserting in lieu thereof the words "purchase of water and/or water rights for use on," and also amend the title in line 10, by inserting after the word "counties" a period instead of a comma, and strike out the remainder of line 10.

Amend Section 1, by striking out in line 20 of the original typed bill, the words "school lands," and further amending Section 1, by striking out in lines 21 and 22, the words "be included within such projects and," and inserting in lieu thereof the word "may."

Amend Section 2, by striking out in Section 2, line 1, page 2, the word "whatever" and inserting in lieu thereof the word "any," and by striking out the word "are" appearing in line 1, Section 2, page 2, and strike out in line 5, Section 2, page 2, the word "became" and inserting in lieu thereof the word "become," and further amending Section 2, page 2, line 9, by striking out the words "the owners of other lands include," and by inserting in lieu thereof the words "other water users," and by inserting a comma after the word "projects" and add the following: "provided, however, that none of such charges, payments or costs shall constitute a lien against the state's interest in the said lands."

Amend Section 3, by striking out in line 12, page 2, the word "direct" and inserting in lieu thereof the word "general"; and further amending Section 3, page 2, line 13, by inserting after the word "liens" the word "only," and strike out the words "to be" appearing in line 14, Section 3, page 2, and strike out the word "such" in line 14, Section 3, page 2, and all the remainder of said Section 3, and as amended, be concurred in.

MANNING, Chairman.

On motion of Manning, report adopted.

Mr. Speaker: We, your Committee on Water Conservation and Flood Control, having had under consideration Senate Bill No. 127, entitled: "An Act to provide for the cooperation and coordination by the state and the governmental units thereof, and to encourage state and national industrial recovery by cooperation with the National Government in aid of effectuating the objects and purposes and benefits of such national legislation whereby moneys, funds and resources are made available to promote the rehabilitation of agriculture, trade and industry; furnish relief for unemployment by authorizing the State Water Conservation Board to make loans and accept grants from the President or any and all departments or agencies of the United States for flood control projects, irrigation systems and projects, conservation, maintenance and operation of projects in the reclamation of lands within the state, electrification and rehabilitation, or any other public work of a beneficial character; to accept from private owners deeds or other instruments of trust relating to land, improve and sell the same; to execute and perform agreements and contracts relating to the construction and financing of such projects by any department or agency of the United States, to issue revenue bonds payable out of the revenues derived from any project or system of irrigation, electrical service or other public works; and conferring additional authority, power and duty upon the Water Conservation Board of the State of Montana," respectfully report as follows: That Senate Bill No. 127 be amended as follows: Amend the title in line 14 of the printed bill by striking out the word "and" and inserting a comma in lieu thereof.

Amend Section 2 in line 10 of page 2 of the printed bill by striking out "ressuscitation" and inserting in lieu thereof "resuscitation."

Amend Section 4 in line 4 of page 3 of the printed bill by striking out the words "and empowered" and inserting in lieu thereof "with power and authority."

Amend Section 4, Sub-section (V), which is line 77 of page 5 of the printed bill, by striking out the word "or" and inserting in lieu thereof the word "of."

Amend Section 13 in the last line, which is line 4 of page 7 of the printed bill, by striking out the period after the word "passage" and adding the words "and approval," and as amended, be concurred in.

MANNING, Chairman.

On motion of Manning, report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration Senate Bill No. 84, entitled: "An Act to amend Section 65 of Chapter 60 of the Laws of the State of Montana of 1927, as amended by Chapter 28 of the Laws of the State of Montana of 1929, relating to mineral reservations in state lands, it being the purpose of this amendment to restore to said Section 65 to its original intent," respectfully report as follows: That Senate Bill No. 84 be amended as follows: Section 65, line 30, by striking out the words and figures "six and one-fourth per centum ($6\frac{1}{4}\%$)" and inserting in place thereof the words and figures, "two and one-half per centum ($2\frac{1}{2}\%$)," and as amended, be concurred in.

METLEN, Chairman.

On motion of Metlen, report adopted.

Mr. Speaker: We, your Committee on Water Conservation and Flood Control, having had under consideration Senate Bill No. 101, entitled: "An Act to amend Sections 2, 5 and 8 of Chapter 35, of the Acts of the Extraordinary Session of the Twenty-third Legislative Assembly of Montana, entitled an Act providing for the creation of the State Water Conservation Board; prescribing its powers and duties; providing for the construction, operation and maintenance of a system of works for the conservation,

development, storage, distribution and utilization of water, and for the acquisition of property necessary therefor; authorizing the issuance of water conservation revenue bonds of the state payable solely from the revenues of such works and the funds received from the sale or disposal of water and from the operation, lease, sale or other disposition of the works, property and facilities to be acquired out of the proceeds of such bonds; providing for a lien upon bond proceeds; providing for trust indentures; providing for the creation of certain funds in connection with this Act; providing for contracts with the United States; declaring that no debt of the state shall be incurred in the exercise of any of the powers granted by this Act; providing for purchase condemnation; and otherwise acquiring lands and water rights and for the sale thereof; making an appropriation; repealing Chapter 155, of the Session Laws of 1931; and declaring an emergency, and to supplement said Chapter 35, by adding Section 8A thereto so as to provide that the State Water Conservation Board may mortgage property, and by adding Section 21A thereto so as to provide that the State Water Conservation Board shall be a body corporate; and declaring an emergency," respectfully report as follows: That Senate Bill No. 101 be amended as follows: Amend Section 3, in line 27, page 4 of the printed bill by striking out the period after the word "indentures" and inserting a comma in lieu thereof.

Amend Section 3, in line 33, page 5 of the printed bill by inserting a comma after the word "whole."

Amend Section 4, in line 11, page 6 of the printed bill by striking out the word "deed" and inserting the word "deeds" in lieu thereof, and as amended, be concurred in.

MANNING, Chairman.

On motion of Manning, report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Resolution No. 7, entitled: "A Resolution requesting that the Congress of the United States enact legislation providing all oil, gas, and mineral rights may be reserved by the vendor when marginal land is sold to the United States Government," respectfully report as follows: That House Resolution No. 7 do not pass.

STEVENS, Chairman.

On motion of Stevens, report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Resolution No. 6, entitled: "A Resolution memorializing the Congress of the United States to repeal the Fourth Section of the Interstate Commerce Act, or to amend same, as proposed by the Pettengill Bill, H. R. 3263, introduced in the House of Representatives at the present session of Congress," respectfully report as follows: That Senate Joint Resolution No. 6 be concurred in.

STEVENS, Chairman.

On motion of Stevens, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Stromnes, duly seconded, that a collection be taken up by the pages from the members in order to take care of the people on relief who visited the Legislature to place their problems before that body.

On substitute motion, it was moved by Mulholland, duly seconded and carried, that this Legislative Body donate \$150.00 for the care and welfare of these people.

It was moved by Gray, duly seconded and carried, that the House pass consideration of Senate Bills Nos. 151 and 175 until the committee reports on Senate Bill No. 127.

It was moved by Mulholland, duly seconded and carried, that consideration of Senate Bill No. 207 on General Orders be passed for the day.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Spiegel of Silver Bow in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration Business on General Orders, recommend the following:

That Substitute Senate Bill No. 92 be indefinitely postponed.

That Senate Bill No. 128 be indefinitely postponed.

That Senate Bill No. 73 be amended as follows: Amend Section 1 by inserting the words "or before" ahead of the first word in line 16, and as amended be concurred in.

SPIEGEL, Chairman.

On motion of Spiegel, report adopted.

The Speaker appointed as Conference Committee on Senate amendments to House Bill No. 350 the following: Joffray, Ballard and Gray.

It was moved by Byrne, duly seconded and carried, that the House recess until 8:30 o'clock P. M.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules, having had under consideration a motion that a roll call vote be had on all Conference Committee reports, respectfully report as follows:

That the motion to have a roll call vote on all Conference Committee reports be adopted.

BYRNE, Chairman.

On motion of Byrne, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Sub. H. B. No. 79 was this day recommended for non-concurrence by the Senate, and bill is herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motions were this day made, duly seconded and carried:

That H. B. No. 379 be indefinitely postponed.

That the Senate reconsider vote by which the conference committee report on H. B. No. 76 was adopted, and report was sent back to the committee.

On motion, H. B. No. 443 was taken from the Committee on Taxation and placed on General File.

On motion, consideration of H. B. Nos. 14, 364 and 20 was passed for the day.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended unfavorably by the Senate, and bills are herewith returned to the House:

H. B. No. 226, by Spiegel, et al.

H. B. No. 260, by Committee on Dairying.

H. J. R. No. 7, by Peterson of Valley, et al.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate

Mr. Speaker: I am directed by the President of the Senate to return herewith Senate Substitute for Senate Substitute for House Bill No. 3, together with the original House Bill No. 3, to the House, which bills were on February 25th transmitted to the House for concurrence in the Senate Substitute Bill.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Select Committee report on Senate Substitute for Senate Substitute for H. B. No. 3, H. B. 218 and H. B. 289 was this day, on motion, adopted, and consideration of House Bills Nos. 218 and 289 was made a special order of business in the Senate for March 4th, 1935, at 1:00 o'clock P. M.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Senate, and bills are herewith returned to the House:

H. B. No. 137, by Groene.

H. B. No. 411, by Cusick.

H. B. No. 413, by Parker.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, request the House for the return of House Bill No. 413 to the Senate for further consideration.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that further messages from the Senate be considered read at length, and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Enrolling: Reported S. B. Nos. 50, 95, 111, 174 and Sub. 102 correctly enrolled and duly verified.

Water Conservation and Flood Control: That H. B. No. 517 be amended in Section 3, line 8, engrossed bill, by adding the letter "s" to the word "use";

In Section 3, line 11, engrossed bill, by inserting after the word "liquor", the word "control";

In Section 3, line 13, engrossed bill, by inserting a comma after the word "law";

In Section 3, line 18, engrossed bill, by capitalizing the letter "a" in the word "Act";

And as amended, be concurred in.

Water Conservation and Flood Control: That H. B. No. 152 be amended in Section 2 by striking out the comma in line 10, and inserting in lieu thereof a period after the word "board", and striking out all of Section 2 after the word "board."

In Section 3 by striking out after the words, "Section 3" all of the remainder of lines 16, 17, 18, 19, 20 and all of line 21 to and including the word "term."

In Section 4 by striking out all of line 27 after the words, "Section 4.", all of line 28, all of line 29, all of line 30 and all of line 31 to and including the word, "board";

And as amended, be concurred in.

Judiciary: That H. B. No. 201 be amended in the title by striking out the words, "repealing Section 4929 Revised Codes of Montana, 1921;"

In Section 1, page 1, original bill, by inserting in line 20 after the word, "by", the words, "a two-thirds," and

In Section 9, page 3, original bill, by inserting in line 27 after the figures, "1921", the words, "together with all Acts amendatory thereto";

In Section 10, page 4, original bill, by inserting in line 4 after the word, "be", the word, "ten";

In Section 11, page 4, original bill, by inserting in line 14 after the word, "within", the word "five";

By striking out all of Section 22, page 6, and renumbering Section 23 to read 22;

And as amended, be concurred in.

Taxation: That H. B. No. 331 be concurred in.

That H. B. No. 364 be amended as per the attached, and as amended, be concurred in.

State Boards and Offices: That H. B. Nos. 20 and 284 be concurred in.

That H. B. No. 390 be amended as per the attached, and as amended, be concurred in.

Compensation: That H. B. No. 226 be concurred in.

That H. B. No. 320 be concurred in.

Public Morals: That Sub. H. B. No. 79 be reported without recommendation.

Roads and Highways: That H. J. R. No. 7 be concurred in.

Fish and Game: That H. B. No. 411 be not concurred in.

Dairies and Dairying: That H. B. No. 260 be concurred in.

Enrolling: Reported S. B. Nos. 214, 172, 161, 88, Sub. 16, 34 and 77 correctly enrolled and duly verified.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Senate Committee on Taxation Amendments to H. B. No. 364:

Amend by adding to the title after the figures, "1923", in line 2 of the title the following: "as amended by Section 1 of Chapter 105 of the Session Acts of the Twentieth Legislative Assembly of 1927,"

Amend Section 1 by adding after the word, "assembly," in line 2 of said Act, the following: "as amended by Section 1 of Chapter 105 of the Session Acts of the Twentieth Legislative Assembly of 1927,"

Amend sub-division 8 of Section 1, page 4, by striking out all of the following words after the word, "taxes," in line 19: "which are a lien against property situated in this state at the date of death, the ordinary expenses of administration, including the commissions and fees of executors and administrators and their attorneys actually allowed and paid, and Federal estate taxes due or paid." and inserting in lieu thereof the following: "which are fixed in amount and owing by the decedent at date of death, and the ordinary expenses of administration, including the commissions and fees of executors and administration and their attorneys actually allowed and paid, but no deduction shall be made for any federal estate inheritance or transfer taxes paid to the United States."

Amend by striking out all of Section 2 and 3 and inserting in lieu of Section 2 the following: "Section 2. The County Clerk and Recorder of each county of the state shall quarterly and on or before the 5th day of January, April, July and October of each year prepare a list of all deaths which have occurred in his county during said quarter, as disclosed by the copies of death certificates filed in said office, and shall likewise check the records of said county to determine whether any of said deceased persons have made any transfer of property, real or personal, within such county during the period of two (2) years preceding the death of such person. He shall thereupon transmit said list of deaths, together with the information aforesaid, to the State Board of Equalization."

Amend Section 4 and Section 5 to read Section 3 and Section 4.

Senate Committee on State Boards and Offices—Amendments to H. B. No. 390:

Amend title by adding the following words: "In connection with the filing of reports and other documents; and presenting the reports to be made by certified motor carriers, and the fees to be paid by them to said commission in connection with the regulation of such carriers; and providing for the inclusion of such fees in the motor carrier fund."

Amend by adding after Section 1, a Section to be known as Section 2, to read as follows: "In addition to all other licenses, fees and taxes imposed upon motor vehicles in this state and in consideration of the use of the highways of this state, every motor carrier holding a certificate of public convenience and necessity issued by the Public Service Commission, shall between the first and fifteenth days of January, April, July and October of each year, file with the Public Service Commission a statement showing the gross operating revenue of such carrier for the preceding three months of operation, or portion thereof, and shall pay to the board a fee

of one-half of one per cent of the amount of such gross operating revenue; provided, however, that the minimum annual fee which shall be paid by each Class A and Class B carrier for each vehicle registered and/or operated under the provisions of the motor carrier act shall be Thirty Dollars (\$30.00) and the minimum annual fee which shall be paid by each Class C carrier for each vehicle registered and/or operated under the motor carrier Act shall be Fifteen Dollars (\$15.00)."

Amend by renumbering the following Sections accordingly.

Amend Section 2 of the original bill, or Section 3 of the amended bill, by writing before the word, "all", in line 1 the following: "All fees collected from motor carriers, shall be, by the Commission, paid into the State Treasury and shall be, by the State Treasurer, placed to the credit of the motor carrier fund." And by inserting after the word, "all", in line 1, the word, "other".

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day gave notice that he was about to sign, and did sign in open session: H. B. Nos. 171, 241, 292, 296, 341, H. J. R. 6, H. J. R. 5, S. B. Nos. 161, 214, 77, 88, 172, 111, 174, 50, 95, 163, 34, Sub. 16 and Sub. 102.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That consideration of H. B. Nos. 14, Sub. 195, 474, Sub. 79 and 293 be passed for the day.

That H. B. Nos. 137 and 413 be not concurred in.

That H. B. Nos. 338, 346, 375 and 522 be concurred in.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on roll call, concurred in the House amendments to Senate Bills 28, 54, 103 and 189.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motions were this day made, duly seconded and carried:

That H. B. No. 152 be referred to the Committee on Finance and Claims.

That H. B. No. 517 be referred to the Committee on Finance and Claims.

That H. B. No. 474 be placed on General File.

That Sub. H. B. No. 79 be placed on General File.

On motion, the rules were suspended, and a motion by Garrison that the Senate reconsider its action on the vote by which H. B. No. 54 failed of concurrence on Third Reading was entertained, which motion prevailed.

On motion, H. B. No. 54 was placed on Third Reading.

On motion, the President of the Senate appointed the following as members of a committee to assist in the Memorial service for the late Honorable T. J. Walsh: Meyer, O'Day and Thien.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the report of the Joint Conference Committee on House Bill No. 279 was this day, on roll call, adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day gave notice that he was about to sign, and did sign in open session:

House Bills 136, 535, 536, 538, 372, 333, 433, 327, 429, 497, 220, H. J. M. 9, H. J. M. 12.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Burris, duly seconded, that the House reconsider its action on Senate Bill No. 191.

On substitute motion, it was moved by Metlen, duly seconded, that the motion of the gentleman from Deer Lodge be made an order of business at some subsequent day.

As a substitute motion to all motions pending, it was moved by Brennan, duly seconded, that the motion to reconsider be tabled. Motion was lost.

As a substitute motion to all motions pending, it was moved by Ballard, duly seconded, that the motion of the gentleman from Beaverhead be indefinitely postponed.

The Speaker ruled that the motion by Ballard was out of order.

It was moved by Rolph, duly seconded, that the House adjourn until tomorrow morning at 10:00 o'clock. Motion was lost.

The previous question was moved by Byrne, duly seconded and carried.

A roll call was demanded by the required number and the motion of Metlen was carried by the following vote:

Ayes: Ahlgreen, Anderson, Bertsche, Busch, Buttelman, Coultas, Doe, Ecton, Ewing, Foor, Fowler, Gordon, Gray, Groene (Fergus), Hall, Harlen, Harwood, Haugan, Heavin, Johnson, Kelly, Kruse, Kuhl, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Manning, Metlen, Miller (Big Horn), Minette, Moss, Mundy, Nelson, Nutting, O'Connor, Padbury, Peterson (Gallatin), Quigley, Scofield, Sexton, Sherman, Smith, Stimatz, Watson, Whaley, White (Judith Basin), Mr. Speaker. Total 53.

Noes: Ballard, Brennan, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Egan, Emmett, Emmons, Goodwin, Green (Dawson), Haight, Hamilton, Hedden, Holding, Hinerman, Kathan, Lasby, Masterson, Miller (Roosevelt), Mitchell, Monahan, Mulholland, Neary, O'Brien, O'Byrne, Ormsbee, Petersen (Sheridan), Peterson (Valley), Rolph, Ryan, Southmayd, Spiegel, Stevens, White (Hill), Worden, York. Total 39.

Absent and not voting: Acher, Balgord, Boone, Burris, Joffray, McLaughlin, Parker, Ritch, Stromnes, Toomey. Total 10.

The Speaker: Fifty-three have voted "aye"; thirty-nine have voted "no"; the motion is carried.

It was moved by O'Byrne, duly seconded and carried, that consideration of Senate Substitute for Senate Bil No. 22 be made a Special Order of Business tomorrow at 3:00 o'clock P. M.

It was moved by Ormsbee, duly seconded, that the House reconsider its action on Senate Bill No. 217 which was reported adversely by committee.

On substitute motion, it was moved by Groene of Fergus, duly seconded, that the motion by the gentleman from Mineral be indefinitely postponed.

The previous question was moved by Byrne, duly seconded and carried.

It was moved by Minette, duly seconded, that further action on the motion by the gentleman from Mineral be tabled.

The Speaker ruled that the motion by Minette was out of order as the motion for the previous question had been carried.

It was moved by Byrne, duly seconded, that the House adjourn until 9:00 o'clock tomorrow. Motion was lost.

The previous question having been carried, motion by Ormsbee to reconsider action on Senate Bill No. 217 was put and carried.

It was moved by Ormsbee, duly seconded and carried, that the Honorable Senate be requested to return Senate Bill No. 217 for further consideration.

It was moved by Fowler, duly seconded and carried, that House Bill No. 540 be considered properly printed and placed on General Orders.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, requests the House for the return of House Bill No. 260 to the Senate for further consideration.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that the request of the Honorable Senate for the return of House Bill No. 260 be granted.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Moss of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That House Bill No. 540 do pass.

That Senate Bill No. 58 be amended as follows: Amend the engrossed bill by striking out the word "Acts" and inserting in lieu thereof the word

"Laws" in line 4 of the title and in lines 13 and 15 in Section 1; and as amended be concurred in.

That Senate Bill No. 134 be not concurred in.

That Senate Bill No. 218 be concurred in.

That Substitute for Substitute Senate Bill No. 8 be concurred in.

That Senate Bill No. 69 be passed for the day.

That Senate Bill No. 96 be amended as follows: Amend Section 1 by striking out in line 22 of the engrossed bill the word "freeholders" and inserting in lieu thereof the words "qualified electors"; amend Section 2 in lines 29 and 30 of the engrossed bill by striking out "ten per centum (10%)" and inserting in lieu thereof the words "twenty-five per centum" and as amended be concurred in.

That Senate Bill No. 55 be concurred in.

That Senate Bill No. 53 be passed temporarily.

That Senate Bill No. 208 be not concurred in.

That Senate Bill No. 133 be not concurred in.

That Senate Bill No. 148 be amended as follows: Amend the printed bill by striking out the word "Acts" and inserting in lieu thereof the word "Laws" in line 4 of the title, line 3 of the preamble and in Section 1, line 2, and as amended be concurred in.

That Senate Bill No. 39 be passed for the day.

That Senate Bill No. 139 be amended as follows: Amend by inserting after the word "by" and before the word "Chapter" the words "Section 2 of" in line 2 of the title and in line 2 of Section 1 of the printed bill and as amended be concurred in.

That Senate Bill No. 89 be concurred in.

That Senate Bill No. 212 be concurred in.

That Substitute Senate Bill No. 18 be amended as follows: Amend the title by striking out the word "Acts" and inserting in lieu thereof the word "Laws" in line 8 of the title of the engrossed bill; amend Section 11, line 23, by striking out the word "Acts" and inserting in lieu thereof the words "Laws" and by striking out the following in lines 25, 26, 27 and 28: "entitled: 'An Act to permit the payment of delinquent taxes, assessments, penalties and interest on real estate and certain personal property by installment payments and repealing all other Acts and parts of Acts in conflict therewith"; and as amended, be concurred in.

That Senate Bill No. 143 be amended as follows: Amend Section 2 by adding in lines 7 and 12, after the word "states", the following: "or such other Federal authority, instrumentality or agency as may be appropriate"; and as amended, be concurred in.

MOSS, Chairman.

On motion of Moss, report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following correctly enrolled: House Bills Nos. 76, 537, 373, 316, 448, 224, 31, 317, 539, 336, 353 and Substitute House Bills Nos. 317 and 279.

MONAHAN, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 136, 535, 536, 538, 372, 333, 433, 327, 429, 497, 220, do hereby report that said bills, together with copies thereof, signed by

the Speaker of the House and President of the Senate, were this day, at the hour of 4:15 o'clock P. M., delivered to the Governor for his approval.

MONAHAN, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Joint Memorials Nos. 9 and 12, do hereby report that said memorials, together with copies thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 4:15 o'clock P. M., delivered to the Governor for his approval.

MONAHAN, Chairman.

Without objection, report adopted.

I have read House Bill No. 31 as reported from the Enrolling Committee and certify same to be correct.

FOOR.

I have read House Bill No. 76 as reported from the Enrolling Committee and certify same to be correct.

STEVENS.

I have read House Bill No. 224 as reported from the Enrolling Committee and certify same to be correct.

GROENE.

I have read House Bill No. 316 as reported from the Enrolling Committee and certify same to be correct.

METLEN.

I have read Substitute House Bill No. 317 as reported from the Enrolling Committee and certify same to be correct.

FOWLER.

I have read House Bill No. 373 as reported from the Enrolling Committee and certify same to be correct.

MOSS.

I have read House Bill No. 448 as reported from the Enrolling Committee and certify same to be correct.

BURRIS.

I have read House Bill No. 537 as reported from the Enrolling Committee and certify same to be correct.

FOWLER.

I have read House Bill No. 539 as reported from the Enrolling Committee and certify same to be correct.

FOWLER.

I have read House Bill No. 279 as reported from the Enrolling Committee and certify same to be correct.

MONAHAN.

I have read House Bill No. 336 as reported from the Enrolling Committee and certify same to be correct.

LEAVITT.

I have read House Bill No. 353 as reported from the Enrolling Committee and certify same to be correct.

BOONE.

The Speaker announced he was about to sign House Bill No. 31, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 76, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 224, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 316, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 373, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Substitute House Bill No. 317, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 448, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 537, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 539, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Substitute House Bill No. 279, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 336, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 353, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

MOTIONS AND RESOLUTIONS

It was moved by Leavitt, duly seconded and carried, that Senate Bill No. 53 be re-referred to the Committee on Public Morals, Charities and Reforms.

It was moved by Boone, duly seconded and carried, that the House reconsider its action on Senate Bill No. 59.

It was moved by Boone, duly seconded and carried, that the Honorable Senate be requested to return Senate Bill No. 59 to the House for further consideration.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Insurance, having had under consideration Senate Substitute for Senate Bill No. 22, entitled: "An Act to provide for State Insurance of public buildings and contents; to provide for the valuation thereof; to provide for the duties of public officers in connection therewith; to provide for the levying of assessment premiums, for the investment and distribution of the insurance fund, and for the payment of losses; to prevent any other manner of insuring public property; and to provide penalties for the violation of this Act."

Respectfully report as follows: That Senate Substitute for Senate Bill No. 22 be amended as follows:

Amend the title: Line (7) of the printed bill; insert after the word property the following "except as herein provided."

Add after Section (1) the following: "Provided, however, that officers and authorities having charge of buildings and contents above described may insure against earth-quakes and/or other perils not above enumerated in this section and may with the approval of the State Auditor and Ex-officio Commissioner of Insurance, insure against such perils with any reliable insurance company.

Section (3) line (16) of the printed bill, strike out the semi-colon after the word "thereof" adding in lieu thereof a period and striking out the balance of the section.

Section (7) line (3) of the printed bill; after the figures "1921" add the following: "as amended by Chapter 58, Session Laws of the Twentieth Legislative Assembly, 1927."

Section (9) strike out all Section (9) and insert the following amendment: "The State Board of Examiners must reinsure or purchase excess insurance in a reliable insurance company or companies such portion of their insurance liability as is commensurate with the principles of safe underwriting, and shall prescribe such rules and regulations as may be necessary in placing and handling this re-insurance and/or excess insurance. The cost of the reinsurance is to be paid out of the State Insurance Fund.

Add the following after Section (13) "and an amount not to exceed four per-centum of the receipts of said fund for the payment of salaries and expenses for the administration of this Act.

Strike out all of Section (16) and insert in lieu thereof the following:

"This Act shall become operative on the first day of June, 1935. The renewal on altered terms or the extension of any existing policies three months prior to the time that this Act becomes operative, without the approval of the State Auditor and Ex-officio Commissioner of Insurance shall be prima facie evidence of an intention to violate the law and such policy shall be cancelled out pro rata and state insurance shall be written for the proper amount.

And as amended, be concurred in.

O'BYRNE, Chairman.

On motion of O'Byrne, report adopted.

It was moved by Burris, duly seconded and carried, that Substitute Senate Bill No. 22 be mimeographed with amendments incorporated therein and placed on the desks of the members.

It was moved by Byrne, duly seconded and carried, that the House adjourn until 9:30 o'clock A. M., Tuesday, March 4, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FIFTY-SEVENTH DAY

House of Representatives.
Helena, Montana. March 4th, 1935.

House convened, pursuant to adjournment, at 9:30 o'clock A. M.
Mr. Speaker in the Chair.

Invocation by Chaplain.

A quorum for the transaction of business was present. Excused: Joffray, Toomey, and McLaughlin.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the fifty-sixth legislative day, find the same to be correct.

EWING, Vice-Chairman.

Without objection, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the report of the Joint Conference Committee on House Bill No. 76 was this day, on roll call, adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that the House reconsider its action in the Committee of the Whole yesterday on Substitute for Substitute Senate Bill No. 8.

It was moved by Leavitt, duly seconded and carried, that Senate Bill No. 4 be taken from Third Reading and re-referred to General Orders.

It was moved by Rolph, duly seconded and carried, that Senate Bill No. 2 be passed for the day on Third Reading.

It was moved by Byrne, duly seconded and carried, that Substitute for Substitute Senate Bill No. 8 be placed on General Orders.

THIRD READING OF SENATE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 90, introduced by Sparling, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Ballard, Bertsche, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Egan, Emmett, Emmons, Foor, Gordon, Green (Dawson), Haight, Hall, Harlen, Hagan, Heavlin, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Las-

by, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lovell, McCausland, Miller (Roosevelt), Monahan, Mulholland, Mundy, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Watson, Whaley, White (Judith Basin), York, Mr. Speaker. Total 68.

Noes: Ecton, Hedden, Smith, Worden. Total 4.

Absent and not voting: Balgord, Boone, Brennan, Burris, Coultas, Doe, Ewing, Fowler, Goodwin, Gray, Groene (Fergus), Hamilton, Harwood, Holding, Lott, McLaughlin, Manning, Masterson, Metlen, Miller (Big Horn), Minette, Mitchell, Moss, Neary, Ormsbee, Padbury, Ritch, Stromnes, Toomey, White (Hill). Total 30.

The Speaker: Sixty-eight have voted "aye"; four have voted "no"; Senate Bill No. 90 has been concurred in by the House.

Senate Bill No. 58, introduced by Hollenback and Cotter, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Gordon, Green (Dawson), Hall, Harlen, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, Miller (Roosevelt), Miller (Big Horn), Monahan, Mulholland, Mundy, Nutting, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 76.

Noes: Nelson. Total 1.

Absent and not voting: Boone, Burris, Byrne, Coultas, Goodwin, Gray, Groene (Fergus), Haight, Hamilton, Harwood, Kruse, Logan, McLaughlin, Manning, Masterson, Metlen, Minette, Mitchell, Moss, Neary, O'Brien, Ritch, Sexton, Stromnes, Toomey. Total 25.

The Speaker: Seventy-six have voted "aye"; one has voted "no"; Senate Bill No. 58 has been concurred in by the House.

Senate Bill No. 218 introduced by Anderson and Plank, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Cusick, Ecton, Egan, Emmett, Emmons, Foor, Gordon, Green (Dawson), Haight, Harlen, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lovell, McCausland, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Monahan, Mulholland, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Rolph, Ryan, Scofield, Sherman, Smith, Southmayd, Spiegel, Stimatz, Watson, Whaley, White (Judith Basin), York. Total 68.

Noes: Doe, Mundy, Nelson, Nutting, White (Hill), Worden. Total 6.

Absent and not voting: Boone, Burris, Conner, Coultas, Ewing, Fowler, Goodwin, Gray, Groene (Fergus), Hall, Hamilton, Harwood, Joffray, Logan, Lott, McLaughlin, Minette, Mitchell, Moss, Neary, O'Brien, Quigley, Ritch, Sexton, Stevens, Stromnes, Toomey, Mr. Speaker. Total 28.

The Speaker: Sixty-eight have voted "aye"; six have voted "no"; Senate Bill No. 218 have been concurred in by the House.

Senate Bill No. 96 introduced by Lamp and Simmons, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Buttelman, Byrne, Chamberlain, Cusick, Ecton, Egan, Ewing, Foor, Gordon, Green (Dawson), Haight, Hall, Harlen, Harwood, Haugan, Hedden, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lovell, McCausland, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Monahan, Nelson, Nutting, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Scofield, Sherman, Smith, Stevens, Stimatz, Watson, Whaley, White (Judith Basin), Worden, York, Mr. Speaker. Total 66.

Noes: Connors, Emmett, Emmons, Mulholland, O'Brien, O'Byrne, Ryan, Southmayd, Spiegel, White (Hill). Total 10.

Absent and not voting: Boone, Burris, Busch, Chapman, Conner, Coultas, Doe, Fowler, Goodwin, Gray, Groene (Fergus), Hamilton, Heavlin, Holding, Logan, Lott, McLaughlin, Minette, Mitchell, Moss, Mundy, Neary, Ritch, Sexton, Stromnes, Toomey. Total 26.

The Speaker: Sixty-six have voted "aye"; ten have voted "no"; Senate Bill No. 96 has been concurred in, by the House.

Senate Bill No. 55, introduced by Oliver, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Cusick, Ecton, Emmett, Emmons, Ewing, Foor, Gordon, Green (Dawson), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Logan, Lott, Lovell, McCausland, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Monahan, Nelson, Nutting, O'Brien, O'Byrne, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Southmayd, Stevens, Stimatz, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 74.

Noes: Lippard and O'Connor. Total 2.

Absent and not voting: Boone, Burris, Conner, Coultas, Doe, Egan, Fowler, Goodwin, Gray, Groene (Fergus), Heavlin, Leary, McLaughlin, Mitchell, Moss, Mulholland, Mundy, Neary, Ritch, Sexton, Sherman, Smith, Spiegel, Stromnes, Toomey, White (Judith Basin). Total 26.

The Speaker: Seventy-four have voted "aye"; two have voted "no"; Senate Bill No. 55 has been concurred in by the House.

Senate Bill No. 89 introduced by Campbell and Larson, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Buttelman, Byrne, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Gordon, Green (Dawson), Hall, Harlen, Harwood, Haugan, Hedden, Joffray, Johnson, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Logan, Lott, Lovell, McCausland, Manning, Metlen, Miller (Big Horn), Monahan, Mundy, Nelson, Nutting, O'Brien, O'Connor, Padbury, Parker, Peterson (Gallatin), Quigley, Scofield, Sherman, Smith, Southmayd, Stevens, Stimatz, Watson, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 62.

Noes: Brennan, Busch, Chamberlain, Conner, Connors, Haight, Hamilton, Hinerman, Kathan, Lippard, Masterson, Miller (Roosevelt), Mulhol-

land, Neary, O'Byrne, Ormsbee, Petersen (Sheridan), Peterson (Valley), Ryan, Sexton, Spiegel, Whaley. Total 22.

Absent and not voting: Boone, Burris, Chapman, Coultas, Fowler, Goodwin, Gray, Groene (Fergus), Heavlin, Holding, McLaughlin, Minette, Mitchell, Moss, Ritch, Rolph, Stromnes, Toomey. Total 18.

The Speaker: Sixty-two have voted "aye"; twenty-two have voted "no"; Senate Bill No. 89 has been concurred in by the House.

Senate Bill No. 212 introduced by the Committee on Judiciary, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Busch, Buttelman, Chamberlain, Conner, Connors, Cusick, Doe, Egan, Emmons, Foor, Green (Dawson), Haight, Hall, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lott, Lovell, McCausland, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Watson, White (Judith Basin), York. Total 71.

Noes: Ecton, Emmett, Ewing, Gordon, Hamilton, Kathan, Kelly, Lippard, Peterson (Gallatin), Whaley, White (Hill), Worden, Mr. Speaker. Total 13.

Absent and not voting: Boone, Burris, Byrne, Chapman, Coultas, Fowler, Goodwin, Gray, Groene (Fergus), Logan, McLaughlin, Manning, Minette, Mitchell, Moss, Ritch, Stromnes, Toomey. Total 18.

The Speaker: Seventy-one have voted "aye"; thirteen have voted "no"; Senate Bill No. 212 has been concurred in by the House.

Senate Bill No. 73 introduced by the Committee on Taxation, was concurred in by the following vote:

Ayes: Ahlgreen, Anderson, Ballard, Bertsche, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Cusick, Ecton, Egan, Emmons, Foor, Fowler, Gordon, Green (Dawson), Hall, Harlen, Harwood, Hedden, Hinerman, Johnson, Kathan, Kruse, Leary, Leavitt, Lemmer, Liggett, Logan, Lott, Manning, Masterson, Miller (Roosevelt), Mulholland, Mundy, Neary, Nutting, O'Brien, O'Byrne, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Scofield, Smith, Spiegel, Stevens, Whaley, White (Hill), York. Total 55.

Noes: Acher, Doe, Emmett, Ewing, Gray, Haight, Haugan, Heavlin, Holding, Joffray, Kelly, Lasby, Lippard, McCausland, Metlen, Miller (Big Horn), Minette, Monahan, Nelson, O'Connor, Parker, Sexton, Sherman, Southmayd, Stimatz, Watson, White (Judith Basin), Worden, Mr. Speaker. Total 29.

Absent and not voting: Balgord, Boone, Brennan, Burris, Byrne, Coultas, Goodwin, Groene (Fergus), Hamilton, Kuhl, Lovell, McLaughlin, Mitchell, Moss, Ritch, Stromnes, Toomey, Ryan. Total 18.

The Speaker: Fifty-five have voted "aye"; twenty-nine have voted "no"; Senate Bill No. 73 has been concurred in by the House.

Senate Bill No. 148 introduced by Baker, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Cusick,

Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Gordon, Green (Dawson), Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Monahan, Mundy, Neary, Nelson, Nutting, O'Brien, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Scofield, Sexton, Smith, Southmayd, Spiegel, Stevens, Stimatz, Watson, Whaley, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 78.

Noes: Haight. Total 1.

Absent and not voting: Boone, Burris, Conner, Coultas, Fowler, Goodwin, Gray, Groene (Fergus), Joffray, Leavitt, McLaughlin, Minette, Mitchell, Moss, Mulholland, O'Byrne, Ritch, Rolph, Ryan, Sherman, Stromnes, Toomey, Worden. Total 23.

The Speaker: Seventy-eight have voted "aye"; one has voted "no"; Senate Bill No. 148 has been concurred in by the House.

Senate Bill No. 139, introduced by Sparling, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Ballard, Bertsche, Brennan, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Cusick, Doe, Egan, Emmett, Emmons, Foor, Gordon, Haight, Harlen, Haugan, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Lemmer, Lippard, Logan, Lott, Lovell, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Rolph, Sexton, Spiegel, Stevens, Whaley, York. Total 60.

Noes: Anderson, Green (Dawson), Hamilton, Leavitt, Liggett, McCausland, O'Connor, Quigley, Scofield, Sherman, Smith, Stimatz, Watson, White (Judith Basin), White (Hill), Worden, Mr. Speaker. Total 17.

Absent and not voting: Balgord, Boone, Burris, Byrne, Coultas, Ecton, Ewing, Fowler, Goodwin, Gray, Groene (Fergus), Hall, Harwood, Heavlin, Joffray, McLaughlin, Minette, Mitchell, Moss, O'Byrne, Ritch, Ryan, Stromnes, Toomey. Total 24.

The following passed their vote: Southmayd. Total 1.

The Speaker: Sixty have voted "aye"; seventeen have voted "no"; Senate Bill No. 139 has been concurred in by the House.

Substitute Senate Bill No. 18, introduced by the Committee on Taxation, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Boone, Brennan, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Cusick, Ecton, Emmett, Emmons, Ewing, Foor, Gray, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Lemmer, Liggett, Logan, McCausland, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Monahan, Mulholland, Neary, Nutting, O'Brien, O'Byrne, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Watson, Whaley, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 76.

Noes: Gordon, Haight, Leavitt, Lippard, Mundy, O'Connor, Worden. Total 7.

Absent and not voting: Bertsche, Burris, Byrne, Couitas, Doe, Egan, Fowler, Goodwin, Joffray, Lott, Lovell, McLaughlin, Minette, Mitchell, Moss, Nelson, Ryan, Stromnes, Toomey. Total 19.

The Speaker: Seventy-six have voted "aye"; seven have voted "no"; Substitute Senate Bill No. 18 has been concurred in by the House.

Senate Bill No. 143, introduced by Groff, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Busch, Buttelman, Byrne, Chamberlain, Conner, Cusick, Emmons, Foor, Fowler, Gordon, Gray, Green (Dawson), Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, Metlen, Miller (Big Horn), Minette, Mitchell, Monahan, Muholland, Nutting, O'Connor, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Scofield, Sexton, Southmayd, Stimatz, Stromnes, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 67.

Noes: Chapman, Doe, Haight, Masterson, Mundy, Neary, O'Brien, O'Byrne, Ryan, Spiegel. Total 10.

Absent and not voting: Brennan, Burris, Connors, Coultas, Ecton, Egan, Emmett, Ewing, Goodwin, Groene (Fergus), Hinerman, Joffray, Logan, McLaughlin, Manning, Miller (Roosevelt), Moss, Nelson, Ormsbee, Parker, Rolph, Sherman, Smith, Stevens, Toomey. Total 25.

The Speaker: Sixty-seven have voted "aye"; ten have voted "no"; Senate Bill No. 143 has been concurred in by the House.

The Speaker appointed Minette, Masterson and Boone as conference committee on Senate Amendments to Substitute House Bill No. 204.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 140, 206, 246 and Substitute House Bill No. 11.

MONAHAN, Chairman.

Without objection, report adopted.

I have read Substitute House Bill No. 11 as reported from the Enrolling Committee and certify same to be correct.

W. T. BOONE.

I have read House Bill No. 206 as reported from the Enrolling Committee and certify same to be correct.

SMITH.

I have read House Bill No. 246 as reported from the Enrolling Committee and certify same to be correct.

NUTTING.

I have read House Bill No. 140 as reported from the Enrolling Committee and certify same to be correct.

LEMMER.

The Speaker announced he was about to sign Substitute House Bill No. 11, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 206, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 246, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 140, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Brennan of Richland in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following: That Senate Bills Nos. 151, 175 and 127 be deferred temporarily. That Substitute Senate Bill No. 69 be not concurred in.

J. P. BRENNAN, Chairman.

On motion of Brennan, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that the House recess long enough to permit Mr. James, State Engineer, to explain to the House the bills in relation to the Water Conservation Board.

House recessed.

House resumed. Mr. Speaker in the Chair.

It was moved by Mulholland, duly seconded and carried, that the House reconsider action on motion made yesterday in regard to donation of \$150.00.

It was moved by Minette, duly seconded and carried, that the reconsidered motion by Mulholland be indefinitely postponed.

The following resolution was, on motion of Mulholland, duly seconded, adopted:

Mr. Speaker: WHEREAS, A large number of people have journeyed to the Capitol in the interests of matters being heard by the Committee on Relief; and

WHEREAS, These persons are now in the city of Helena and without means with which to return home;

NOW, THEREFORE, BE IT RESOLVED By the House of Representatives: That the relief administration of the State of Montana be requested to provide sufficient money to pay for the lodging and keep of the said persons now in the city of Helena, and for their return to their respective places of abode at the earliest possible convenience with the permission of the Federal Government,

MULHOLLAND.

The Speaker appointed Mulholland, Stromnes, and Smith as the committee to act on the above resolution.

It was moved by Byrne, duly seconded and carried, that the House recess until 1:30 o'clock, P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bill correctly engrossed: House Bill No. 540.

EWING, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration Senate Bill No. 192, entitled: "An Act relating to the payment for state lands under certificate of purchase and the reinstatement of cancelled certificates of purchase in whole or in part"; respectfully report as follows: That Senate Bill No. 192 be amended as follows:

1. Amend Section 1 by striking out in line four (4) of the printed bill the words "of mortgages or has become delinquent in the payment." This amendment is not needed in the engrossed bill. (This is simply the correction of an error.)

2. Amend Section 1, line 16 of the engrossed bill by striking out the word "shall" and inserting in lieu thereof the words "may in its discretion." This amendment not needed in the printed bill.

3. Section 2 by striking out in lines 13, 14, 15, 16, 17, 18, and the letters "cate" in the beginning of line 19 of the printed bill, and in the engrossed bill in line 3 by striking out everything after the word "than" to and including the word "certificates" in line 11, and by inserting in lieu thereof the following: "Two Hundred Fifty Dollars (\$250.00) at the present time if such partial reinstatement will not materially impair the salableness of the remainder of the land under the cancelled certificate of purchase. The partial reinstatement shall embrace not less than eighty (80) acres of the land under such cancelled certificate according to government subdivisions; and in the case of such partial reinstatement of a certificate of purchase of mortgage lands; the applicant shall make full payment of all delinquent installments upon the said certificate with interest thereon as now provided in the proportion that the actual value of the acreage to be embraced in the partial reinstatement together with the value of the improvements thereon bears to the value of the total area of land in the cancelled certificate together with the improvements thereon," and as amended be concurred in.

METLEN, Chairman.

On motion of Miller of Big Horn, report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration Senate Bill No. 68 entitled: "An Act relating to the purchase by the United States of lands within the State of Montana for national forest purposes," respectfully report as follows: That Senate Bill No. 68 be concurred in.

SHERMAN, Chairman.

On motion of Sherman, report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration Senate Bill No. 193 entitled: "An Act authorizing Boards of County Commissioners to establish grazing zones

and to establish complete control over expenditures for public services in such zones," respectfully report as follows: That Senate Bill No. 193 be not concurred in.

SHERMAN, Chairman.

On motion of Sherman, report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 187 entitled: "An Act prohibiting the use of voting machines in the State of Montana and repealing Sections 757 to 774, inclusive, of the Revised Codes of Montana, 1921, and all other Acts in conflict herewith," respectfully report as follows: That Senate Bill No. 187 be not concurred in.

HAIGHT, Chairman.

On motion of Haight, report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 188 entitled: "An Act providing for the cancellation of registration, re-registration, registration and identification of electors in all counties wherein the number registered electors shall exceed 22,000, and providing for the enforcement of this Act, and penalties for the violation hereof," respectfully report as follows: That Senate Bill No. 188 be amended as follows: By striking out in line 2 of Section 1 the word "now" and inserting in lieu thereof the words "at the last general election," and to further amend said Section 1, line 2, by changing the word "exceeds" to "exceeded," and by striking out in line 4 of said Section 11 the words that appear after the figures "1935" down to and including the figures "22,000" in line 9 of said section, and that as amended said Senate Bill No. 188, be reported out without recommendation.

HAIGHT, Chairman.

On motion of Haight, report adopted.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Conference Committee, having had under consideration Senate amendments to House Bill No. 63, recommend that the Senate recede from its amendment which adds after the word "judgment" in line 5 of the printed bill, the following phrase: "and the making of any finance charge or bonus in addition to interest shall constitute usury and a misdemeanor"; but that bill shall be amended as follows: Amend the title thereto by adding the following: "making it unlawful for parties to contract for a rate of interest higher than eight per cent, making bonus or finance charges illegal, describing the method by which monthly payment loans may be legally made and fixing penalties for the violation of this Act."

Amend Section 1 of the printed bill, by adding after the word "judgment" the following words: "but the charging of any bonus or finance charge in addition to interest shall be unlawful and shall constitute usury. Provided, however, that nothing in this Act shall be construed to prevent or make it unlawful for any person or corporation, when goods or merchandise are sold or refinanced, or money is loaned on the monthly payment plan, for the person or corporation financing such paper or making such loan to charge a maximum amount of Fifty Cents (50c) for a loan of Fifty Dollars (\$50.00) or One Dollar (\$1.00) for a loan of One Hundred Dollars (\$100.00) when such loans run for a period of thirty (30) days or less, or to add to the total original amount of any monthly payment loan, interest for the entire period of time the loan is to run at a rate not to exceed eight per cent (8%) per annum, dividing the total into an equal number of monthly payments over the period for which the loan is to run and requiring payments so determined to be paid by the borrower."

And further amend the printed bill by adding a new section, to be known as Section 2, as follows: "The Violation of any of the provisions of this Act shall be a misdemeanor"; and by renumbering the following sections accordingly.

HAIGHT,
FOWLER,
House Committee.

MEYER,
COTTER,
Senate Committee.

STATEMENT

Mr. Speaker: The following statement is prepared to accompany your Conference Committee report on Senate amendments to House Bill No. 63.

The effect of your Conference Committee action is to retain the effect of the Senate amendment to House Bill 63 which makes finance charges or bonus charges illegal, but to permit a small minimum charge on loans at Fifty Dollars (\$50.00) or One Hundred Dollars (\$100.00) where the loans run for thirty (30) days or less without such action being illegal. It also permits interest to be charged on monthly payment loans at the rate as provided by the bill of eight (8%) per cent but permits finance companies to continue their present methods of applying these interest charges and permitting borrower to pay back their loan in monthly payments for the interest at eight (8%) calculated on the entire amount. This, we believe, preserves the intention of the original amendment but will enable people to continue to borrow money on monthly payment plan in accordance with these regulations.

Respectfully submitted,

HAIGHT, Chairman, (House).
MEYER, Chairman, (Senate).

On motion Haight, duly seconded, report of Conference Committee on Senate amendments to House Bill No. 63, was adopted by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Boone, Brennan, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Egan, Emmett, Emmons, Foor, Fowler, Gordon, Green (Dawson), Haight, Hall, Haugan, Holding, Hinerman, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Neary, Nutting, O'Brien, O'Byrne, Ormsbee, Petersen (Sheridan), Peterson (Galatin), Peterson (Valley), Quigley, Ritch, Ryan, Sexton, Sherman, Spiegel, Stevens, Stimatz, Stromnes, White (Hill), York, Mr. Speaker. Total 64.

Noes: Byrne, Doe, Ecton, Ewing, Gray, Groene (Fergus), Harwood, Hedden, Joffray, Mundy, Nelson, O'Connor, Padbury, Parker, Smith, Toomey, Worden. Total 17.

Absent and not voting: Bertsche, Burris, Busch, Goodwin, Hamilton, Harlen, Heavlin, Kelly, Leavitt, Logan, McLaughlin, Manning, Masterson, Metlen, Moss, Rolph, Scofield, Southmayd, Watson, Whaley, White (Judith Basin). Total 21.

The Speaker: Sixty-four have voted "aye," seventeen have voted "no"; Conference Committee report on Senate amendments to House Bill No. 63 has been adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration Senate Bill No. 93 entitled: "An Act de-

fining and prohibiting discrimination in the sale of merchandise within the State of Montana; providing punishment for the violation of this Act; declaring rules of evidence in prosecution under this Act; authorizing the recovery of damages for a violation of this Act; defining the duties of the Attorney General in relation to this Act; defining terms used in this Act and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That Senate Bill No. 93 be concurred in.

BURRIS, Chairman.

On motion of Burris, report adopted.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration Senate Bill No. 146 entitled: "An Act for the prevention of the sale or giving away, except by licensed practitioners of medicine, osteopathy or other licensed practitioners of the healing arts and of licensed pharmacists, of contraceptive devices, or other articles, devices or appliances designed for that purpose or for the purpose of preventing venereal diseases, or sex-inciting devices, and authorizing officers of the law to make arrests for violation of the Act, and to seize stocks of such articles unlawfully held or offered for sale, and prescribing a penalty for the violation of this Act," respectfully report as follows: That Senate Bill No. 146 be concurred in.

YORK, Chairman.

On motion of York, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and bills are herewith returned to the House: House Bills Nos. 287, 293, 320, 331, 338 and 375.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Senate, and bills are herewith returned to the House: Sub. H. B. No. 12, H. B. No. 185, H. B. No. 238, and H. B. No. 295.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, as amended by the Senate, title and history agreed to and bills are herewith returned to the House for concurrence in the Senate amendments: Sub. for Sub. H. B. No. 36, H. B. No. 54, Sub. H. B. No. 195, H. B. No. 201, H. B. No. 346, H. B. No. 390.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that further messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motions were this day made, duly seconded and

carried: That the Committee of the Whole report affecting Sub. H. B. No. 79 be not adopted. On motion, consideration of Sub. H. B. No. 79 be indefinitely postponed.

On motion, consideration of House Bills 218 and 289 was made a Special Order of Business for tomorrow, March 4, at 1:00 P. M.

On motion, H. B. No. 522 was taken from Third Reading and placed on General File.

On motion, report of Committee of the Whole adopted yesterday wherein H. B. No. 413 was recommended for non-concurrence, was reconsidered; H. B. No. 415 was segregated therefrom, and on motion, bill was recalled from the House. On motion, H. B. No. 413 placed on General File.

On motion, H. B. No. 173 was placed on General File.

On motion, H. B. No. 443 was taken from General File for today and placed on General File for tomorrow.

On motion, H. B. No. 2 was segregated from the Committee of the Whole report.

On motion, H. B. No. 260 was segregated from the Committee of the Whole report and on motion referred to General File.

On motion, the Senate concurred in the House amendments to S. B. No. 170, on roll call.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day gave notice that he was about to sign and did sign in Open Session: S. B. Nos. 199, 54, 11, 110, 28, 86, 108, 103, 189, 109 and 144.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Senate and bills are herewith returned to the House: Sub. H. B. No. 424, Sub. H. B. No. 522.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 366 was this day introduced in the Senate, read first and second time and referred to the Committee on Finance and Claims.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That consideration of Sub. H. B. No. 79 be passed for the day.

That Sub. H. B. No. 195 be concurred in.

That H. B. No. 201 be concurred in.

That consideration of H. B. No. 226 be indefinitely postponed.
That consideration of H. B. No. 260 be indefinitely postponed.
That H. B. No. 284 be concurred in.
That H. B. No. 293 be concurred in.
That H. B. No. 320 be concurred in.
That H. B. No. 331 be concurred in.
That H. B. No. 390 be concurred in.
That H. J. R. No. 7 be not concurred in.
That consideration of H. B. No. 376 be passed for the day.
That consideration of H. B. No. 474 be passed for the day.
That Sub. H. B. No. 424 be not concurred in.
That H. B. No. 2 be not concurred in.
That H. B. No. 449 be passed for the day.
That Substitute for Sub. H. B. No. 36 be concurred in.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 540 was this day introduced in the Senate, read first and second time, and referred to the Committee on Finance and Claims.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Senate, and bills are herewith returned to the House: H. B. No. 443, H. B. No. 218.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notice was this day received and read in the Senate: "Mr. President: I hereby give notice that I will on tomorrow or some subsequent day move that the Senate reconsider its action in adopting the committee report of March 3rd on H. J. R. No. 7 (Signed) Sparling."

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the reports of the Joint Conference Committees on House Bills 140 and 206 were this day, on roll call, adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day, on motion, and at the request of the House, appointed the following Senators to act as Conference Committees on Senate amendments to House Bills: For consideration of H. B. No. 204, Keeley, Church and Clifford. For consideration of H. B. No. 350, Parkin, Plumber, Benjamin.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

THIRD READING OF HOUSE BILLS

House Bill No. 540, introduced by the Committee on Appropriations, having been read three several times at length, history and title agreed to, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Busch, Byrne, Chamberlain, Chapman, Conner, Connors, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Gordon, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harwood, Haugan, Heavlin, Hinerman, Joffray, Kathan, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Logan, Lott, Lovell, McCausland, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 81.

Noes: Boone, Burris, Coultas, Lippard, Stromnes. Total 5.

Absent and not voting: Buttelman, Cusick, Doe, Goodwin, Gray, Haight, Harlen, Hedden, Holding, Johnson, Kelly, McLaughlin, Metlen, Ritch, Rolph, Whaley. Total 16.

The Speaker: Eight-one have voted "aye," five have voted "no"; House Bill No. 540 has passed the House.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Foor of Roosevelt in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders and Special Order of Business on Substitute Senate Bill No. 22, recommend the following:

That Senate Bill No. 151 be concurred in. That Senate Bill No. 175 be concurred in. That Senate Bill No. 127 be concurred in. That Senate Bill No. 207 be deferred temporarily.

That Senate Bill No. 39 be amended as follows: Amend Section 1, line 42 after the words "attorney's fees" by inserting a comma and the words, "such attorney fees to be allowed for not more than ten per cent (10%) of amount collected," and as amended be concurred in.

Special Order of Business: That Substitute Senate Bill No. 22 be amended as follows: Amend Section 1 in line 10 of the mimeographed bill by adding a period after the word "section" and striking out the rest of the paragraph; amend Section 11 after the word "Montana" in line 8 of the mimeographed bill by inserting the words "provided no preference shall be given to long term loans secured by first mortgages on town and city homes or on cultivated and producing farms but that preference shall first be given to bonds guaranteed as to principal and interest by the Government of the United States"; amend Section 12 by striking out lines 1 and 2 thereof and inserting in lieu thereof the words: "That all losses to public buildings and the contents thereof, insured under this Act against losses by fire, lightning"; amend by inserting a new section immediately following present Section 13 as incorporated in the present bill, to be known as Section 14, reading as follows:

"Section 14. Whenever any policy of insurance shall be written under this Act to insure any improvements upon real property in this state against loss as herein provided and the property insured shall be wholly destroyed, without criminal fault on the part of the insured or its assigns, the amount of insurance written in such policy shall be taken conclusively to be the true value of the property insured, and the true amount of loss and Ex-officio Commissioner of Insurance may set up fraud in obtaining insurance shall be prima facie evidence that the party paying such insurance is the owner of the property insured; provided, that the State Auditor and Ex-officio Commissioner of Insurance may set up fraud in obtaining the policy as a defense to a suit thereon." And to re-number present Section 14 to become Section 15 and all subsequent sections accordingly; and as amended that Substitute Senate Bill No. 22 be concurred in.

FOOR, Chairman.

On motion of Foore, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that Substitute for Substitute Senate Bill No. 8 be passed for the day.

It was moved by Leavitt, duly seconded and carried, that consideration of Senate Bill No. 4 be indefinitely postponed.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the requests of the House for the return of Senate Bills Nos. 59 and 217 were this day, on motion, granted, and bills are herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Boone, duly seconded and carried, that Senate Bill No. 59 be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling, beg leave to report House Bill No. 63 correctly enrolled.

MONAHAN, Chairman.

On motion of Monahan, report adopted.

I have read House Bill No. 63 as reported from the Enrolling Committee and certify same to be correct.

The Speaker announced he was about to sign House Bill No. 63, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 31, 76, 140, 206, 224, 246, 316, 336, 353, 373, 448, 537, 539, Substitute House Bills Nos. 11, 279, 317, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11:20 o'clock A. M., delivered to the Governor for his approval.

G. M. MONAHAN, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration Senate Bill No. 191, entitled: "An Act relating to state lands; providing for the resale and repurchase of such lands upon the cancellation of certificates of purchase; assuring certain preference rights to the original purchaser in the event of a resale; authorizing reappraisal of lands by the State Board of Land Commissioners in case of a resale; specifying the terms and conditions of resale contracts and repealing Section 89 of Chapter 60 of the Session Acts of the Twentieth Legislative Assembly of Montana of 1927, as amended by Chapter 101 of the Session Acts of the Twenty-first Legislative Assembly of Montana of 1929 and all other Acts and parts of Acts in conflict herewith," respectfully report as follows: That Senate Bill No. 191 be amended as follows: Amend the title of Senate Bill No. 191 by striking all that follows the word "resale" in line 5 of the printed bill and line 10 of the engrossed bill.

Amend Section 2 by striking out all thereof and inserting in lieu thereof the following: "Section 2. Upon receipt of not less than three (3) such applications or applications to purchase other state lands from any three adjoining counties, the Commissioner of State Lands and Investments shall within ninety (90) days fix a date for hold a sale of state lands in such county, and shall give notice of such sale in the manner now provided by law. He shall include in this notice of sale all lands for which such applications to repurchase have been made and may include other state lands. The notice of sale shall be in such form as is now provided by law, shall be published as now provided by law, and the sale shall be conducted in accordance with present statutes.

If the land offered for sale is not under lease, the original purchaser or his successor in interest shall have the same preference right in the purchase of the land as the preference right now given to a lessee of state lands under Section 775 of Chapter 60 of the 1927 Session Laws."

Amend Section 3 by striking out all thereof and inserting in lieu thereof the following: "Section 3. Whenever any of the state lands offered for resale under the provisions of this Act in accordance with applications as herein provided, have a dwelling house or other valuable improvements thereon having an actual value of not less than Two Hundred Fifty Dollars (\$250.00), the original purchaser or his successor in interest may ask that the land on which such dwelling house or other improvements embracing not less than eighty (80) acres shall be offered for sale without including the remaining state land in the tract; and this request shall be granted if such sale will not materially impair the salability of the remaining tract.

Not less than fifteen days before the date of such sale, a copy of the notice of sale shall be mailed to each applicant for the repurchase of state lands directed to the post office address given in his application."

Amend Section 4 by striking out all thereof and inserting in lieu thereof the following: "Section 4. The terms of payment and the rate of interest on deferred payments shall be as now provided by law except that any purchased may demand a purchase contract payable through a shorter term than thirty-three (33) years."

Section 6. Strike out all of Section 6. It is now incorporated in Section 2.

Section 7. Strike out all of Section 7. It is now incorporated in Section 2.

Renumber Section 8 as Section 6. Renumber Section 9 as Section 7.

Amend Section 10 by striking out all thereof and inserting in lieu thereof a new section numbered Section 8 reading as follows: "Section 8. This Act shall not have the effect of repealing any of the statutes now in

effect. It shall be considered and construed as giving additional rights to purchasers of state lands designed to meet present emergency conditions, and this Act shall automatically expire and terminate with June 30, 1938."

Renumber Section 11 as Section 9.

And as amended be concurred in.

METLEN, Chairman.

On motion of Miller of Big Horn, report adopted.

Mr. Speaker: We, your Committee on Roads and Highways, having had under consideration Senate Bill No. 26, entitled: "An Act creating the Montana Highway Patrol Commission, designating the members thereof, providing for the selection, qualification and duties of a chief patrol officer and patrolmen; defining certain offenses on the highways as menaces to the public health and safety, and fixing penalties for the infraction thereof; providing for state drivers' licenses; creating a highway patrol revolving fund from licenses and fines. Deeming this Act an emergency Act and repealing all Acts and parts of Acts in conflict herewith," respectfully report as follows: That Senate Bill No. 26 be amended as follows:

In the original bill amend the title by striking out in line 7 the word "commission" and inserting in lieu thereof the word "board" and by striking out in line 8 the words "chief patrol officer" and inserting in lieu thereof the words "highway patrol supervisor."

Amend Section 1 by striking out the entire section and inserting in lieu thereof the following, to be known as Section 1: "There is hereby created a "Montana Highway Patrol Board" consisting of the Governor of the state, Registrar of Motor Vehicles and Superintendent of Maintenance Department of the State Highway Commission, all of whom shall serve without extra compensation except actual traveling expenses while on official business connected with the patrol."

Amend Section 2 of the bill by striking out all of said Section 2 and substituting in lieu thereof the following words: "Within sixty (60) days after the passage and approval of this Act, the Montana Highway Patrol shall organize by electing from among their membership a chairman and a secretary, fixing a permanent place of business, providing for clerical help, selecting a highway patrol supervisor, fixing reasonable rules and regulations for protecting the highways and the traveling public, and providing for the maintenance of the patrol and providing a method in conformity with the provisions of this Act for the employment and supervision of the patrol."

Amend Section 3 by striking out in line 5 on page 2 the words and figures "Thirty-six Hundred Dollars (\$3600.00) and substituting in lieu thereof the words and figures Three Thousand Dollars (\$3000.00); by striking out in line 8 the words "State Patrol Commission" and inserting in lieu thereof the words "Montana Highway Patrol Board"; by striking out all of the last two lines of said Section 3, lines 11 and 12, and inserting in lieu thereof the words "military service or experience as a peace officer or in the city police department or in an organized governmental agency."

Amend Section 4 by striking out in line 13 the words "the State Patrol Commission" and inserting in lieu thereof the word "Board"; by changing the comma after the word "provided" in line 15 to a semi-colon and by adding the following words directly after such semi-colon and before the word "but": "said patrolmen shall be chosen in equal numbers from the twelve highway districts. Replacements and additions to the force shall be made in the same manner,"; by striking out in line 17 the words "revolving highway patrol fund" and inserting in lieu thereof the words "state

highway patrol revolving fund"; by striking out the words and figures "twenty-one (21)" in line 21 and inserting in lieu thereof the words and figures "twenty-four (24)"; by striking out the second sentence of Sub-section 6 and all of Sub-sections 7 and 8 of Section 4 entirely; by striking out all of the paragraph following Sub-section 8 of Section 4 and inserting in lieu thereof the following: "All patrolmen shall be placed under probationary training and service for a period of three months before permanent appointment by the board, and shall hold their permanent appointments while there are sufficient funds in the department or until removed for cause, after hearing before the board. The initial salary of patrolmen shall be One Hundred Twenty-five Dollars (\$125.00 per month, but the same may be increased at the discretion of the board not to exceed One Hundred and Sixty Dollars (\$160.00) for merited service in the patrol together with actual traveling expenses."

Amend Section 5 by striking out in line 13 on page 3 the following words, "State Patrol Commission," and inserting in lieu thereof the word "board" by striking out in line 19 the words "Montana Highway Patrol Commission," and inserting in lieu thereof the word "board."

Amend Sub-section 1 of Section 6 by inserting in line 25 between the word "vehicle" and the word "without" the words "in the night time."

Amend Section 7 by striking out the last eight paragraphs of said Section 7 and inserting in lieu thereof the following:

"For the offense of driving in a reckless manner, the fine for the first offense shall not be less than Ten Dollars (\$10.00) or more than Three Hundred Dollars (\$300.00) and/or imprisonment in the county jail for a term of not less than five (5) days or more than thirty (30) days.

For the second offense, the fine shall not be less than Three Hundred Dollars (\$300.00) or more than Five Hundred Dollars (\$500.00) and/or imprisonment in the county jail for a term of not less than thirty (30) days or more than six (6) months.

For the third offense, the fine shall not be less than Five Hundred Dollars (\$500.00) or more than One Thousand Dollars (\$1,000.00) and/or imprisonment in the State Prison for a term of not less than six (6) months or more than three (3) years.

For the offense of driving while intoxicated, the penalty for the first offense shall be a fine of not less than Twenty-five Dollars (\$25.00) or more than Three Hundred Dollars (\$300.00) and/or imprisonment in the county jail for a term of not less than ten (10) days or more than six (6) months.

For the second offense, the fine shall not be less than Three Hundred Dollars (\$300.00) or more than One Thousand Dollars (\$1,000.00) and/or imprisonment in the State Prison for a term of not less than six (6) months or more than three (3) years.

For the third offense, the fine shall not be less than One Thousand Dollars (\$1,000.00) or more than Five Thousand Dollars (\$5,000.00) and/or imprisonment in the State Prison for a term of not less than three (3) years or more than ten (10) years.

In addition to the above-mentioned penalties, upon conviction of a motor vehicle driver of any of the offenses heretofore mentioned, it shall be in the discretion of the board to suspend, for a stated period, or to revoke said driver's license. In the event of such suspension or revocation, an appeal may be had to any court of competent jurisdiction for a review of the order.

It is not the intent of this Act to in any manner provide immunity from civil prosecution or actions for damages."

Amend Section 8 by striking out in line 5 on page 6 the word "state" and inserting in lieu thereof the word "highway"; by inserting in line 11 on page 6 between the words "shall" and "be" the words "such patrolmen"; by changing the period following the word "officers" at the end of Section 8 to a semicolon and adding the following words after said semicolon, "provided that such highway patrolmen shall have no authority and are expressly forbidden to make arrests in labor disputes or in preventing violence in connection with strikes, and shall not be permitted to perform any duties whatsoever in connection with labor disputes, strikes or boycotts, and shall not be permitted to congregate or act as a unit in one county to suppress riots or to preserve the peace."

Amend Section 9 by striking out all of said Section 9 and renumbering the following sections accordingly.

Amend Section 10 by striking out in line 22 the words "All patrolmen," and inserting in lieu thereof the word "patroimen"; by striking out in line 30 the words "in fines" and inserting in lieu thereof the words "if the fine is"; striking out all of the remainder of said section after and including the word "and" at the end of line 1 on page 7 of said Section 10.

Amend Section 11 by striking out in line 4 on page 7 the words and figures "thirty (30)" and inserting in lieu thereof the words and figures "sixty (60)"; by adding in line 5 on page 7 the words "owner" and "of" the words "and driver"; by striking that part of line 8 that follows the word "resides" and all of line 9 and by striking all of the second paragraph of Section 11 and inserting in lieu thereof the following: "The fee for a driver's license for a taxi driver, truck driver or the owner of a motor vehicle shall be Fifty Cents (50c), for any additional drivers of passenger cars the fee shall be Twenty-five Cents (25c)."

Amend Section 12 by changing the semicolon in line 19 on page 7 to a period; by striking out all of said Section 12 that follows said semicolon in line 19 and by inserting in lieu thereof the following: "Payment of all proper and approved expenditures for the salaries, expenses, equipment and maintenance of the highway patrol, including court costs not otherwise provided for, shall be made from the state highway patrol revolving fund in the same manner as other claims against said fund are paid. All fees, fines and forfeitures collected in any court from persons apprehended or arrested by patrolmen for violation of this Act and the laws and regulations relating to the use of state highways and the operation of vehicles thereon must be paid to the State Treasurer of Montana, and by him credited to the state highway patrol revolving fund, and a separate account shall be kept thereof; and at the time of payment of any such fee, fine or forfeiture there shall be filed with the State Treasurer a complete statement showing the total of the fees, fines or forfeitures received or incurred, which statement shall give the title of the court and cause and be subscribed by the person or officer making such payment; provided that from said fund shall be paid all court costs and fees, and expense of the counties, in the event prisoners have been boarded."

All fees in the state highway patrol revolving fund shall be used only for the purposes of said patrol as provided in this Act, and warrants thereon shall be issued as provided by law."

Amend Section 13 by striking out the entire section and inserting in lieu thereof the following words: "If any clause, sentence, section, paragraph, part or portion of this Act shall, for any reason, be adjudged by any court of competent jurisdiction to be invalid, unconstitutional or inoperative, such judgment shall not affect, impair or invalidate the validity of the Act as a whole, or the remainder of this or any part thereof which can be given effect, but shall be confined in its operation to the particular clause, sentence, section, paragraph, part or portion directly adjudged to be so invalid, unconstitutional or inoperative."

Amend Section 14 by striking out the second sentence of said section.

Amend Section 15 by striking out in line 4 of page 8 the word "immediately" and inserting in lieu thereof the words and figures "sixty (60) days," and that Senate Bill No. 26 as amended be placed on General Orders without recommendation; and that the Roads and Highways Committee of the Honorable Senate be advised that the Roads and Highways Committee of the House is making this report; and that the Roads and Highways Committee of the Honorable Senate take the same course with House Bill No. 170, and that on this report the following committee members have passed their vote: Harwood, Hamilton and Anderson.

CUSICK, Chairman.

On motion of Cusick, report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration Senate Bill No. 121, entitled: "An Act to amend Section 3 of Chapter 108 of the Session Acts of the Twentieth Legislative Assembly of Montana of 1927, relating to oil and gas leases on state lands and authorizing the State Board of Land Commissioners to grant exploratory permits covering not to exceed two thousand five hundred sixty (2,560) acres of land for the purpose of testing undeveloped areas or structures for oil and gas," respectfully report as follows: That Senate Bill No. 121 be not concurred in.

METLEN, Chairman.

On motion of Miller of Big Horn, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Doe, duly seconded and carried, that Senate Bill No. 2 be held upon Third Reading until Senate Bill No. 93 has been considered on General Orders.

It was moved by Ormsbee, duly seconded and carried, that Senate Bill No. 217 be placed on General Orders.

The following resolution on motion of Byrne was adopted:

WHEREAS, Supplies and other equipment belonging to the State of Montana for the use of the Legislative Assembly have been removed, lost and damaged between sessions of the Legislative Assembly by other departments and persons, causing an expense to the next Session of the Legislative Assembly;

NOW, THEREFORE, BE IT RESOLVED, By the House of the Twenty-fourth Legislative Assembly, that the Sergeant-at-Arms of the House be directed to make a complete inventory of all the furniture, typewriters, supplies and other equipment belonging to the State of Montana for the use of the Legislative Assembly and to cause all of said property to be checked in to the Custodian of the Montana State Capitol, who, after giving his receipt therefor, shall cause same, other than furniture, to be stored and locked in a room in the Capitol Building, and the House supplies being kept separate from the Senate property. The House furniture shall remain in the House Assembly hall, office and committee rooms and shall not be removed therefrom, and the inventory shall describe the furniture in each room or hall of the House; and

BE IT FURTHER RESOLVED, That the House property remain in said rooms until the next meeting of the Legislative Assembly and that the same shall not be removed or used by any other department or person for any period of time whatsoever. That copies of the inventory so made shall be filed with the State Purchasing Agent, Custodian, Sergeant-at-Arms of the House and Chief Clerk of the House, and the inventory shall be checked back to the Sergeant-at-Arms of the House at the time of the next meeting of the Legislative Assembly.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, that there be ten minutes allowed for debate on the main motion, five being for the opponents and five for the proponents, and three minutes allowed for debate on each amendment.

CONSIDERATION OF GENERAL ORDERS

Leavitt of Custer in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration Business on General Orders, recommend the following:

That Senate Bill No. 94 be concurred in.

That Senate Bill No. 207 be amended as follows: Amend the title by adding after the figures "1921" the following: "Relating to the time of the filing of claims for compensation and providing time within which claims may be filed and repealing all Acts and parts of Acts in conflict herewith," and as amended be concurred in.

That Senate Bill No. 205 be indefinitely postponed.

That Senate Bill No. 57 be indefinitely postponed.

That Senate Bill No. 145 be concurred in.

That Senate Bill No. 197 be amended as follows: Amend the title in line 3 and Section 2, line 1, by striking the word "Acts" and inserting in lieu thereof the word "Laws," and as amended be concurred in.

That Senate Bill No. 179 be not concurred in.

That Senate Bill No. 67 be concurred in.

That Senate Bill No. 155 be concurred in.

That Senate Bill No. 153 be amended as follows: Amend title by adding at the beginning of line 2 of the title, engrossed bill, immediately preceding the word "entertainment," the word, "certain"; amend title by striking out in line 4 of title, engrossed bill, as amended by House Committee on Public Morals, Charities and Reforms, the words "prohibiting attendance of minors"; amend Section 1 of engrossed bill by striking out all of Section 1 and inserting a new section to read as follows:

"Section 1. The term "entertainment" as used in this Act shall include every species and kind of entertainment, including vaudeville shows, motion picture shows, variety shows and all forms of dancing, provided, however, that it shall not include the usual and conventional forms of dancing participated in solely by bona fide patrons."

Amend by striking out all of Section 2 of engrossed bill as amended by House Committee on Public Morals, Charities and Reforms, and inserting in lieu thereof a new section to read as follows:

"Section 2. Hereafter it shall be unlawful for any person, firm, company, corporation or association, or association of individuals to conduct or provide or permit to be conducted or provided, any entertainment of any sort or kind at, in or about any beer hall or any room, premises, place or establishment at which beer is sold or licensed to be sold, either under the provisions of the Montana Beer Act or any other law of Montana, now or hereafter in effect, regulating and licensing the sale of beer," and as amended be concurred in.

That Senate Bill No. 164 be concurred in.

That Senate Bill No. 101 be concurred in.

That Senate Bill No. 118 be amended as follows: Amend the title by inserting at the end thereof the following: "Providing the method of the organization of such companies, the number of members thereof and the property to be insured. Providing for the making of reports to the State Auditor, the form and contents of such report, the issuance of a certifi-

cate of authority to continue business; providing for an examination fee and repealing all Acts and parts of Acts in conflict herewith."

Amend Section 1 by striking out line 1 after "Section 1," and inserting in lieu thereof the words "That Section 6170 of the Revised Codes of Montana, 1921, be and the same is hereby amended to read as follows:"; amend Section 1 by inserting at the end of same the following: "Section 2. That Section 6183 of the Revised Codes of Montana, 1921, be and the same is hereby amended to read as follows:"; and as amended be concurred in.

That Senate Joint Resolution No. 8 be passed temporarily.

That Senate Joint Resolution No. 5 be adopted.

That Senate Joint Resolution No. 7 be adopted.

That Senate Joint Resolution No. 6 be passed for the day.

That House Joint Memorial No. 13 be amended as follows: Amend the second "whereas clause" by striking out in line 7 the words "it has come to the attention of this Assembly through the" and inserting in lieu thereof the words "it is charged by" and adding after the word "expedient" in line 11 the following: "if the Public Works Administration concurs" and same after the word "violations" in line 18; and as amended do pass.

That Senate Joint Memorial No. 4 be concurred in.

That Senate Joint Memorial No. 1 be concurred in.

That Senate Joint Memorial No. 5 be concurred in.

LEAVITT, Chairman.

It was moved by Leavitt, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by Mulholland, duly seconded, that Senate Bill No. 153 be segregated from the report of the Committee of the Whole.

A call of the House was demanded by the required number. On motion of Mulholland, further call of the House was dispensed with.

Without objection, Mulholland then withdrew his motion to segregate.

Whereupon motion by Leavitt to adopt the report of the Committee of the Whole was put and carried.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration Senate Bill No. 213, entitled: "An Act making the State Treasurer custodian for any moneys which the Treasurer of the United States under the Taylor Grazing Act, approved June 28, 1934 (Public No. 482), may pay to the State of Montana, and making it the State Treasurer's duty to apportion and allocate these moneys to the County Treasurer to allocate and pay to the grazing districts from which they were originally collected, to be used for construction of range improvements and maintenance," respectfully report as follows: That Senate Bill No. 213 be concurred in.

BURRIS, Chairman.

On motion of Ormsbee, report adopted.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 284, 293, 320, 322, 323, 338, 375.

MONAHAN, Chairman.

Without objection, report adopted.

I have read House Bill No. 284 as reported from the Enrolling Committee and certify same to be correct.

RITCH.

I have read House Bill No. 375 as reported from the Enrolling Committee and certify same to be correct.

CONNORS.

I have read House Bill No. 338 as reported from the Enrolling Committee and certify same to be correct.

LEAVITT.

I have read House Bill No. 320 as reported from the Enrolling Committee and certify same to be correct.

GRAY.

I have read House Bill No. 293 as reported from the Enrolling Committee and certify same to be correct.

KELLY.

I have read House Bill No. 322 as reported from the Enrolling Committee and certify same to be correct.

TOOMEY.

I have read House Bill No. 323 as reported from the Enrolling Committee and certify same to be correct.

TOOMEY.

The Speaker announced he was about to sign House Bill No. 284, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 375, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 338, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 320, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 293, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 322, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 323, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion duly seconded and carried, requests the House for the return of House Joint Resolution No. 7 to the Senate for further consideration.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that the request of the Honorable Senate for the return of House Joint Resolution No. 7 be granted.

THIRD READING OF SENATE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 127, introduced by the Committee on Water Conservation and Flood Control, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Ewing, Foor, Gordon, Gray, Green (Dawson), Harlen, Harwood, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Manning, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Connor, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ryan, Scofield, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, Worden, York, Mr. Speaker. Total 76.

Noes: Haight, Hall, Haugan. Total 3.

Absent and not voting: Boone, Burris, Byrne, Emmett, Emmons, Fowler, Goodwin, Groene (Fergus), Hamilton, Joffray, McLaughlin, Masterson, Monahan, Moss, O'Byrne, Parker, Ritch, Rolph, Sexton, Sherman, Stromnes, White (Judith Basin), White (Hill), Total 23.

The Speaker: Seventy-six have voted "aye," three have voted "no"; Senate Bill No. 127 has been concurred in by the House.

Senate Bill No. 175, introduced by Kilduff and Holt, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Foor, Gordon, Green (Dawson), Haight, Hall, Harlen, Haugan, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Monahan, Mulholland, Neary, Nelson, Nutting, O'Brien, O'Connor, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 78.

Noes: Mundy, Stromnes. Total 2.

Absent and not voting: Boone, Byrne, Emmett, Emmons, Ewing, Fowler, Goodwin, Gray, Groene (Fergus), Hamilton, Harwood, Heavlin, Hedden, Joffray, McLaughlin, Mitchell, Moss, O'Byrne, Parker, Ritch, Southmayd, White (Judith Basin). Total 22.

The Speaker: Seventy-eight have voted "aye," two have voted "no"; Senate Bill No. 175 has been concurred in by the House.

Senate Bill No. 151, introduced by Garrison, Holt and Sparling, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Burris, Busch, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Ecton, Egan, Foor, Gordon, Green (Dawson), Haight, Hall,

Heavlin, Hedden, Holding Hinerman, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Neary, Nutting, O'Brien, O'Connor, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 78.

Noes: Doe, Haugan, Kelly, Mundy. Total 4.

Absent and not voting: Boone, Buttelman, Emmett, Emmons, Ewing, Fowler, Goodwin, Gray, Groene (Fergus), Hamilton, Harlen, Harwood, Joffray, McLaughlin, Moss, Nelson, O'Byrne, Parker, Ritch, White (Judith Basin). Total 20.

The Speaker: Seventy-eight have voted "aye," four have voted "no"; Senate Bill No. 151 has been concurred in by the House.

Senate Bill No. 164, introduced by Sparling, Wass, Holton, and Carroll, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Foor, Gordon, Gray, Green (Dawson), Haight, Hall, Harlen, Harwood, Heavlin, Hedden, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Neary, Nutting, O'Brien, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ryan, Scofield, Sexton, Sherman, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Hill), York, Mr. Speaker. Total 74.

Noes: Ballard, Bertsche, Mundy, O'Connor, Stromnes, Worden. Total 6.

Absent and not voting: Boone, Emmett, Emmons, Ewing, Fowler, Goodwin, Groene (Fergus), Hamilton, Haugan, Holding, Joffray, McLaughlin, Manning, Moss, Nelson, O'Byrne, Parker, Ritch, Rolph, Smith, Southmayd, White (Judith Basin). Total 22.

The Speaker: Seventy-four have voted "aye," six have voted "no"; Senate Bill No. 164 has been concurred in by the House.

Senate Bill No. 94, introduced by Benjamin, was concurred in by the following vote:

Ayes: Ahlgreen, Anderson, Ballard, Brennan, Burris, Buttelman, Chamberlain, Chapman, Coultas, Cusick, Doe, Ecton, Foor, Gordon, Gray, Green (Dawson), Haight, Hall, Harwood, Haugan, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Lasby, Liggett, Logan, Lovell, McCausland, Manning, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Moss, Mundy, Nelson, Nutting, Ormsbee, Peterson (Valley), Quigley, Rolph, Sexton, Stimatz, White (Hill), York, Mr. Speaker. Total 50.

Noes: Acher, Bertsche, Busch, Conner, Connors, Egan, Kuhl, Leavitt, Lippard, Lott, Masterson, Mitchell, Monahan, Mulholland, Neary, O'Brien, O'Connor, Padbury, Petersen (Sheridan), Peterson (Gallatin), Ryan, Scofield, Sherman, Smith, Southmayd, Spiegel, Stevens, Stromnes, Toomey, Watson, Worden. Total 31.

Absent and not voting: Balgord, Boone, Byrne, Emmett, Emmons, Ewing, Fowler, Goodwin, Groene (Fergus), Hamilton, Harlen, Heavlin, Joffray, Leary, Lemmer, McLaughlin, O'Byrne, Parker, Ritch, Whaley, White (Judith Basin). Total 21.

The Speaker: Fifty have voted "aye," thirty-one have voted "no"; Senate Bill No. 94 has been concurred in by the House.

Senate Bill No. 145, introduced by Holt and Church, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Foor, Gordon, Gray, Haight, Hall, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Connor, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Toomey, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 78.

Noes: Bertsche, Burris, Green (Dawson), Ryan, Stimatz, Stromnes. Total 6.

Absent and not voting: Boone, Emmett, Emmons, Ewing, Fowler, Goodwin, Groene (Fergus), Hamilton, Joffray, Leary, McLaughlin, Metlen, Minette, Moss, O'Byrne, Parker, Ritch, White (Judith Basin). Total 18.

The Speaker: Seventy-eight have voted "aye," six have voted "no"; Senate Bill No. 145 has been concurred in by the House.

Senate Bill No. 67, introduced by Blankenbaker, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Ewing, Foor, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Connor, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, White (Hill), Worden, York, Mr. Speaker. Total 84.

Noes: Burris, Ryan. Total 2.

Absent and not voting: Boone, Emmett, Emmons, Fowler, Goodwin, Groene (Fergus), Joffray, McLaughlin, Metlen, Moss, O'Byrne, Parker, Ritch, Stromnes, Whaley, White (Judith Basin). Total 16.

The Speaker: Eighty-four have voted "aye," two have voted "no"; Senate Bill No. 67 has been concurred in by the House.

Senate Bill No. 155, introduced by Holt, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Ewing, Foor, Gordon, Gray, Green (Dawson), Hall, Harlen, Harwood, Haugan, Heavlin, Hedden, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Neary, Nutting, O'Brien, O'Connor, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Scofield, Sexton, Smith,

Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 78.

Noes: Haight, Mundy, Ryan, Stromnes. Total 4.

Absent and not voting: Boone, Emmett, Emmons, Fowler, Goodwin, Groene (Fergus), Hamilton, Holding, Joffray, Logan, McLaughlin, Metlen, Minette, Moss, Nelson, O'Byrne, Parker, Ritch, Sherman, White (Judith Basin). Total 20.

The Speaker: Seventy-eight have voted "aye," four have voted "no"; Senate Bill No. 155 has been concurred in by the House.

Senate Bill No. 101, introduced by Committee on Water Conservation and Flood Control, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Coultas, Cusick, Doe, Egan, Emmett, Ewing, Foor, Gordon, Gray, Green (Dawson), Hall, Harlen, Harwood, Hedden, Hinerman, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, Manning, Masterson, Miller (Roosevelt), Mitchell, Monahan, Mundy, Neary, Nutting, O'Brien, O'Connor, Ormsbee, Petersen (Sheridan), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Southmayd, Spiegel, Stevens, Stimatz, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 70.

Noes: Haight, Haugan, Miller (Big Horn), Stromnes. Total 4.

Absent and not voting: Boone, Conner, Ecton, Emmons, Fowler, Goodwin, Groene (Fergus), Hamilton, Heavlin, Holding, Joffray, Kelly, Logan, McLaughlin, Metlen, Minette, Moss, Mulholland, Nelson, O'Byrne, Padbury, Parker, Peterson (Gallatin), Ritch, Sherman, Smith, Toomey, White (Judith Basin). Total 28.

The Speaker: Seventy have voted "aye," four have voted "no"; Senate Bill No. 101 has been concurred in by the House.

Senate Joint Resolution No. 5, introduced by Putnam, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Coultas, Cusick, Doe, Emmett, Ewing, Foor, Gordon, Green (Dawson), Haight, Hall, Harlen, Harwood, Haugan, Hedden, Holding, Johnson, Kathan, Kelly, Kruse, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mundy, Nelson, Nutting, O'Brien, O'Connor, Padbury, Petersen (Sheridan), Peterson (Gallatin), Quigley, Ryan, Scofield, Sexton, Sherman, Southmayd, Stevens, Stimatz, Stromnes, Watson, Worden, York. Total 69.

Noes: Ormsbee, Rolph, Spiegel. Total 3.

Absent and not voting: Boone, Conner, Ecton, Egan, Emmons, Fowler, Goodwin, Gray, Groene (Fergus), Hamilton, Heavlin, Hinerman, Joffray, Kuhl, McLaughlin, Metlen, Minette, Moss, Mulholland, Neary, O'Byrne, Parker, Peterson (Valley), Ritch, Smith, Toomey, Whaley, White (Judith Basin), White (Hill), Mr. Speaker. Total 30.

The Speaker: Sixty-nine have voted "aye," three have voted "no"; Senate Joint Resolution No. 5 has been concurred in by the House.

Senate Joint Resolution No. 7 introduced by Danielsen and MacGilvra was concurred in by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Connors, Coultas, Cusick, Doe, Ewing, Foor, Gordon, Green (Dawson), Haight, Hall, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Johnson, Kathan, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Connor, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Quigley, Sexton, Sherman, Smith, Stevens, Stimatz, Watson, Whaley, Worden, York, Mr. Speaker. Total 63.

Noes: Masterson, Rolph, Ryan, Scofield, Spiegel. Total 5.

Absent and not voting: Acher, Boone, Chapman, Conner, Ecton, Egan, Emmett, Emmons, Fowler, Goodwin, Gray, Groene (Fergus), Hamilton, Hinerman, Joffray, Kelly, Kruse, Kuhl, Lovell, McCausland, McLaughlin, Manning, Minette, Moss, Nelson, O'Byrne, Parker, Peterson (Valley), Ritch, Southmayd, Stromnes, Toomey, White (Judith Basin), White (Hill). Total 34.

The Speaker: Sixty-three have voted "aye"; five have voted "no"; Senate Joint Resolution No. 7 has been concurred in by the House.

Senate Joint Memorial No. 4, introduced by Delaney, Holt and Carey, was concurred in by the following vote:

Ayes: Ahlgreen, Balgord, Bertsche, Brennan, Burris, Busch, Buttelman, Chamberlain, Connors, Coultas, Cusick, Emmett, Ewing, Foor, Gordon, Gray, Green (Dawson), Haight, Hall, Harlen, Harwood, Haugan, Hedden, Hinerman, Johnson, Kathan, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Masterson, Miller (Roosevelt), Mitchell, Monahan, Mulholland, Mundy, Neary, Nutting, O'Brien, Ormsbee, Padbury, Peterson (Gallatin), Quigley, Scofield, Sherman, Southmayd, Stevens, Stimatz, Watson, Whaley, Worden, York, Mr. Speaker. Total 60.

Noes: Anderson, Byrne, Conner, Doe, Miller (Big Horn), Nelson, O'Connor, Petersen (Sheridan), Rolph, Ryan, Smith, Spiegel, Stromnes. Total 13.

Absent and not voting: Acher, Ballard, Boone, Chapman, Ecton, Egan, Emmons, Fowler, Goodwin, Groene (Fergus), Hamilton, Heavlin, Holding, Joffray, Kelly, Kruse, McLaughlin, Manning, Metlen, Minette, Moss, O'Byrne, Parker, Peterson (Valley), Ritch, Sexton, Toomey, White (Judith Basin), White (Hill). Total 29.

The Speaker Sixty have voted "aye," thirteen have voted "no"; Senate Joint Memorial No. 4 has been concurred in by the House.

Senate Joint Memorial No. 1, introduced by Committee on Mines and Mining, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Brennan, Busch, Buttelman, Byrne, Chamberlain, Conner, Connors, Coultas, Cusick, Doe, Emmett, Ewing, Foor, Gordon, Haight, Harlen, Haugan, Hedden, Holding, Hinerman, Johnson, Kathan, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Logan, Lovell, McCausland, Masterson, Miller (Big Horn), Mitchell, Monahan, Mulholland, Neary, Nelson, Nutting, O'Brien, Ormsbee, Petersen (Sheridan), Peterson (Gallatin), Quigley, Rolph, Ryan, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Whaley, York, Mr. Speaker. Total 60.

Noes: Green (Dawson), Hall, Mundy, O'Connor, Padbury, Scofield, Watson, Worden. Total 8.

Absent and not voting: Ballard, Boone, Burris, Chapman, Ecton, Egan, Emmons, Fowler, Goodwin, Gray, Groene (Fergus), Hamilton, Harwood, Heavlin, Joffray, Kelly, Kruse, Leary, Lippard, Lott, McLaughlin,

Manning, Metlen, Miller (Roosevelt), Minette, Moss, O'Byrne, Parker, Peterson (Valley), Ritch, Sexton, Stromnes, White (Judith Basin), White (Hill). Total 34.

The Speaker: Sixty have voted "aye," eight have voted "no"; Senate Joint Memorial has been concurred in by the House.

Senate Joint Memorial No. 5, introduced by Committee on Fish and Game, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Brennan, Busch, Buttelman, Byrne, Chamberlain, Conner, Connors, Coultas, Cusick, Emmett, Foor, Gordon, Green (Dawson), Haight, Hall, Harien, Harwood, Haugan, Hedden, Holding, Hinerman, Kathan, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, McCausland, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Mundy, Neary, Nutting, O'Connor, Padbury, Petersen (Sheridan), Peterson (Gallatin), Quigley, Rolph, Ryan, Scofield, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, Worden, York, Mr. Speaker. Total 65.

Noes: None.

Absent and not voting: Ballard, Boone, Burris, Chapman, Doe, Ecton, Egan, Emmons, Ewing, Fowler, Goodwin, Gray, Groene (Fergus), Hamilton, Heavlin, Joffray, Johnson, Kelly, Kruse, Leary, Lott, Lovell, McLaughlin, Manning, Metlen, Minette, Moss, Nelson, O'Brien, O'Byrne, Ormsbee, Parker, Peterson (Valley), Ritch, Sexton, White (Judith Basin), White (Hill). Total 37.

The Speaker: Sixty-five have voted "aye," none have voted "no"; Senate Joint Memorial No. 5 has been concurred in by the House.

Senate Bill No. 207, introduced by Hennessy and Coburn, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Brennan, Buttelman, Chamberlain, Conner, Connors, Coultas, Cusick, Ecton, Emmett, Ewing, Foor, Gordon, Green (Dawson), Haight, Hall, Harlen, Harwood, Haugan, Hedden, Johnson, Kathan, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Logan, Lovell, McCausland, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Connor, Padbury, Petersen (Sheridan), Peterson (Gallatin), Quigley, Rolph, Ryan, Scofield, Smith, Southmayd, Spiegel, Stevens, Stimatz, Watson, Whaley, White (Hill), York. Total 61.

Noes: None.

Absent and not voting: Ballard, Boone, Burris, Busch, Byrne, Chapman, Doe, Egan, Emmons, Fowler, Goodwin, Gray, Groene (Fergus), Hamilton, Heavlin, Holding, Hinerman, Joffray, Kelly, Kruse, Leary, Lippard, Lott, McLaughlin, Manning, Metlen, Minette, Moss, O'Brien, O'Byrne, Ormsbee, Parker, Peterson (Valley), Ritch, Sexton, Sherman, Stromnes, Toomey, White (Judith Basin), Worden, Mr. Speaker. Total 41.

The Speaker: Sixty-one have voted "aye," none have voted "no"; Senate Bill No. 207 has been concurred in by the House.

Senate Bill No. 197, introduced by Parkin, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Busch, Buttelman, Byrne, Chamberlain, Conner, Coultas, Cusick, Doe, Ecton, Ewing, Foor, Gordon, Green (Dawson), Haight, Hall, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson,

Kathan, Kruse, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, Miller (Roosevelt), Miller (Big Horn), Monahan, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Connor, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Stevens, Stimatz, Stromnes, Toomey, White (Hill), York. Total 66.

Noes: Connors, Emmett, Lasby, Masterson, Mitchell, Nelson, Southmayd, Watson, Whaley, Worden, Mr. Speaker. Total 11.

Absent and not voting: Boone, Burris, Chapman, Egan, Emmons, Fowler, Goodwin, Gray, Groene (Fergus), Hamilton, Joffray, Kelly, Kuhl, Leary, Logan, McLaughlin, Manning, Metlen, Minette, Moss, O'Byrne, Parker, Peterson (Valley), Ritch, White (Judith Basin). Total 25.

The Speaker: Sixty-six have voted "aye," eleven have voted "no"; Senate Bill No. 197 has been concurred in by the House.

Senate Bill No. 118, introduced by Garrison, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Brennan, Busch, Buttelman, Byrne, Chamberlain, Conner, Connors, Coultas, Cusick, Ecton, Emmett, Ewing, Foor, Gordon, Green (Dawson), Haight, Hall, Harlen, Harwood, Haugan, Heavlin, Holding, Joffray, Johnson, Kathan, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, McCausland, Manning, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Connor, Ormsbee, Petersen (Sheridan), Peterson (Gallatin), Quigley, Rolph, Ryan, Scofield, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Hill), Worden, York, Mr. Speaker. Total 70.

Noes: Hedden, Nelson, Padbury, Smith. Total 4.

Absent and not voting: Bertsche, Boone, Burris, Chapman, Doe, Egan, Emmons, Fowler, Goodwin, Gray, Groene (Fergus), Hamilton, Hinerman, Kelly, Leary, Lovell, McLaughlin, Masterson, Metlen, Moss, O'Byrne, Parker, Peterson (Valley), Ritch, Sexton, Sherman, Stromnes, White (Judith Basin). Total 28.

The Speaker: Seventy have voted "aye," four have voted "no"; Senate Bill No. 118 has been concurred in by the House.

It was moved by Byrne, duly seconded and carried, that House Joint Memorial No. 13 be considered correctly engrossed.

THIRD READING OF HOUSE BILLS

House Joint Memorial No. 13, introduced by Smith, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Anderson, Balgord, Ballard, Bertsche, Brennan, Buttelman, Chamberlain, Connors, Cusick, Doe, Ecton, Emmett, Ewing, Foor, Gordon, Haight, Hall, Harlen, Harwood, Heavlin, Hedden, Holding, Hinerman, Kathan, Kruse, Leavitt, Lemmer, Liggett, Lippard, Logan, Lovell, McCausland, Manning, Masterson, Miller (Roosevelt), Minette, Mitchell, Monahan, Mulholland, Neary, Nutting, O'Brien, O'Connor, Ormsbee, Padbury, Peterson (Gallatin), Quigley, Rolph, Scofield, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, White (Hill), York, Mr. Speaker. Total 59.

Noes: Ahlgreen, Coultas, Green (Dawson), Haugan, Johnson, Lasby, Nelson, Toomey, Watson, Worden. Total 10.

Absent and not voting: Acher, Boone, Burris, Busch, Byrne, Chapman, Conner, Egan, Emmons, Fowler, Goodwin, Gray, Hamilton, Joffray, Kelly, Kuhl, Leary, Lott, McLaughlin, Metlen, Miller (Big Horn), Moss, Mundy, O'Byrne, Parker, Petersen (Sheridan), Peterson (Valley), Ritch, Ryan, Sexton, Whaley, White (Judith Basin). Total 33.

The Speaker: Fifty-nine have voted "aye," ten have voted "no"; House Joint Memorial No. 13 has passed the House.

It was moved by Byrne, duly seconded and carried, that the House adjourn until 10:00 o'clock A. M., Tuesday, March 5, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FIFTY-EIGHTH DAY

House of Representatives,
Helena, Montana, March 5, 1935.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by Chaplain.

A quorum for the transaction of business was present.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the fifty-seventh legislative day, find the same to be correct.

QUIGLEY, Chairman.

Without objection, report adopted.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Harwood of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That Senate amendments to Substitute House Bill No. 195 be not concurred in and a Conference Committee be appointed and a like committee be requested from the Senate; that the Conference Committee report within twenty-four hours and that the amendments be mimeographed.

That Senate amendments to House Bill No. 390 be concurred in.

That Senate amendments to House Bill No. 346 be concurred in.

That Senate amendments to House Bill No. 201 be concurred in.

That Senate amendments to Substitute for Substitute House Bill No. 36 be concurred in.

That Senate amendments to House Bill No. 54 be concurred in.

HARWOOD, Chairman.

On motion of Harwood, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Gray, duly seconded and carried, that the House request the return of Senate Bill No. 207 from the Honorable Senate.

It was moved by Rolph, duly seconded and carried, that Senate Bill No. 216 on Third Reading be passed for the day.

The Speaker appointed Stevens, O'Byrne, and Egan as Conference Committee on Senate amendments to Substitute House Bill No. 195.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

Senate amendments to House Bill No. 390 were concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Buttelman, Byrne, Chamberlain, Chapman, Connors, Coultas, Doe, Ecton, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Hall, Hamilton, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Moss, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Padbury, Parker, Peterson (Gallatin), Quigley, Rolph, Ryan, Scofield, Sexton, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 80.

Noes: None.

Absent and not voting: Burris, Busch, Conner, Cusick, Egan, Fowler, Green (Dawson), Groene (Fergus), Haight, Harlen, Joffray, McLaughlin, Manning, Metlen, Monahan, Nelson, Ormsbee, Petersen (Sheridan), Peterson (Valley), Ritch, Sherman, Smith. Total 22.

The Speaker: Eighty have voted "aye," none have voted "no"; Senate amendments to House Bill No. 390 have been concurred in.

Senate amendments to House Bill No. 346 were concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Buttelman, Byrne, Chamberlain, Chapman, Connors, Coultas, Cusick, Ecton, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Haight, Hall, Hamilton, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Padbury, Parker, Peterson (Gallatin), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Stevens, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 80.

Noes: Kathan, Stimatz. Total 2.

Absent and not voting: Burris, Busch, Conner, Doe, Egan, Fowler, Green (Dawson), Groene (Fergus), Harlen, Joffray, McLaughlin, Manning, Metlen, Mitchell, Monahan, Ormsbee, Petersen (Sheridan), Peterson (Valley), Ritch, Southmayd. Total 20.

The Speaker: Eighty have voted "aye," two have voted "no"; Senate amendments to House Bill No. 346 have been concurred in.

Senate amendments to House Bill No. 201 were concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Burris, Buttelman, Byrne, Coultas, Cusick, Doe, Ecton, Emmons, Foor, Goodwin, Gordon, Gray, Groene (Fergus), Haight, Hall, Hamilton, Harwood, Haugan, Heavlin, Hedden, Kelly, Kruse, Leary, Leavitt, Lemmer, Lippard, Logan, Lott, McCausland, Masterson, Miller (Big Horn), Minette, Mundy, Nelson, Nutting, O'Connor, Padbury, Parker, Peterson (Gallatin), Quigley, Scofield, Sherman, Smith, Southmayd, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 62.

Noes: Chamberlain, Connors, Emmett, Ewing, Holding, Hinerman, Johnson, Kathan, Lasby, Miller (Roosevelt), Mitchell, Mulholland, Neary, O'Brien, O'Byrne, Petersen (Sheridan), Ritch, Ryan, Spiegel. Total 19.

Absent and not voting: Brennan, Busch, Chapman, Conner, Egan, Fowler, Green (Dawson), Harlen, Joffray, Kuhl, Liggett, Lovell, McLaughlin, Manning, Metlen, Monahan, Moss, Ormsbee, Peterson (Valley), Rolph, Sexton. Total 21.

The Speaker: Sixty-two have voted "aye," nineteen have voted "no"; Senate amendments to House Bill No. 201 have been concurred in.

Senate amendments to Substitute for Substitute House Bill No. 36 were concurred in by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Boone, Brennan, Burris, Buttelman, Chamberlain, Chapman, Coultas, Cusick, Doe, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Groene (Fergus), Hamilton, Haugan, Heavlin, Hedden, Holding, Hinerman, Kathan, Kelly, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, Masterson, Miller (Roosevelt), Miller (Big Horn), Monahan, Mulholland, Nutting, O'Brien, O'Connor, Parker, Petersen (Sheridan), Quigley, Ritch, Ryan, Scofield, Sexton, Sherman, Stevens, Stromnes, Toomey, Whaley, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 61.

Noes: Bertsche, Connors, Ecton, Hall, Johnson, McCausland, Mundy, Neary, Nelson, Padbury, Peterson (Gallatin), Smith, Spiegel, Stimatz, Watson, Worden. Total 16.

Absent and not voting: Acher, Ballard, Busch, Byrne, Conner, Egan, Fowler, Gray, Green (Dawson), Haight, Harlen, Harwood, Joffray, Kruse, McLaughlin, Manning, Metlen, Minette, Mitchell, Moss, O'Byrne, Ormsbee, Peterson (Valley), Rolph, Southmayd. Total 25.

The Speaker: Sixty-one have voted "aye," sixteen have voted "no"; Senate amendments to Substitute for Substitute House Bill No. 36 have been concurred in.

Senate amendments to House Bill No. 54 were concurred in by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Buttelman, Chamberlain, Chapman, Coultas, Cusick, Ecton, Emmons, Ewing, Foor, Goodwin, Gray, Groene (Fergus), Haight, Hall, Hamilton, Heavlin, Hedden, Hinerman, Kathan, Kelly, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, Miller (Roosevelt), Miller (Big Horn), Minette, Mulholland, Mundy, Neary, Nutting, Padbury, Parker, Peterson (Gallatin), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Stevens, Stromnes, Toomey, Watson, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 63.

Noes: Conner, Emmett, Gordon, Johnson, Kuhl, O'Connor, Petersen (Sheridan), Southmayd, Stimatz. Total 9.

Absent and not voting: Acher, Burris, Busch, Byrne, Connors, Doe, Egan, Fowler, Green (Dawson), Harlen, Harwood, Haugan, Joffray, Kruse, McCausland, McLaughlin, Manning, Masterson, Metlen, Mitchell, Monahan, Moss, Nelson, O'Brien, O'Byrne, Ormsbee, Peterson (Valley), Whaley, Worden. Total 29.

The following passed their vote: Holding. Total 1.

The Speaker: Sixty-three have voted "aye"; nine have voted "no"; Senate amendments to House Bill No. 54 have been concurred in.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Kelly of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That Senate Bill No. 84 be concurred in.

That Senate Bill No. 68 be concurred in.

That Senate Bill No. 93 be concurred in.

That Senate Bill No. 146 be concurred in.

That Senate Bill No. 188 be concurred in.

KELLY, Chairman.

It was moved by Kelly that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by Burris, duly seconded, that Senate Bill No. 188 be segregated from the report of the Committee of the Whole.

A call of the House was demanded by the required number.

On motion of Burris, further call of the House was dispensed with.

A roll call having been ordered, motion was lost by the following vote:

Ayes: Ahlgreen, Ballard, Bertsche, Brennan, Burris, Chamberlain, Chapman, Connors, Cusick, Doe, Egan, Emmett, Emmons, Fowler, Goodwin, Gordon, Hamilton, Heavlin, Hinerman, Johnson, Kathan, Lasby, Leary, Lip-pard, Lovell, McCausland, Masterson, Miller (Roosevelt), Mitchell, Monahan, Mulholland, Neary, O'Brien, O'Byrne, Petersen (Sheridan), Peterson (Valley), Ritch, Rolph, Ryan, Sexton, Sherman, Spiegel, Stevens, Stimatz, Whaley, York, Mr. Speaker. Total 47.

Noes: Acher, Anderson, Balgord, Boone, Busch, Buttelman, Byrne, Conner, Coultas, Ecton, Ewing, Foor, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Harlen, Harwood, Haugan, Hedden, Joffray, Kelly, Kruse, Kuhl, Leavitt, Lemmer, Liggett, Logan, Lott, Metlen, Miller (Big Horn), Minette, Mundy, Nelson, Nutting, O'Connor, Padbury, Parker, Peterson (Gallatin), Quigley, Scofield, Smith, Southmayd, Stromnes, Toomey, Watson, White (Judith Basin), White (Hill), Worden. Total 50.

Absent and not voting: Holding, McLaughlin, Manning, Moss, Ormsbee. Total 5.

The Speaker: Forty-seven have voted "aye"; fifty have voted "no"; the motion is lost.

Whereupon, report of the Committee of the Whole was adopted.

The Speaker announced he was about to sign Senate Bill No. 143, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 96, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 218, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 90, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 73, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 55, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 148, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 89, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 87, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 139, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 170, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 212, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 58, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 18, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the request of the House for the return of Senate Bill No. 207, was this day, on motion, granted, and bill is herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Gray, duly seconded and carried, that the House reconsider its action on Senate Bill No. 207.

It was moved by Gray, duly seconded and carried, that Senate Bill No. 207 be placed on General Orders.

It was moved by Ahlgreen, duly seconded, that the rules of the House be suspended and House Bills 507 and 508 be placed on General Orders. Motion was referred to the Committee on Rules, Joint Rules and Order of Business.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:15 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that action on all Special Committee reports be passed for the day.

It was moved by Byrne, duly seconded and carried, that the House reconsider its action on Senate Bill No. 57.

It was moved by Byrne, duly seconded and carried, that the House request the Honorable Senate to return Senate Bill No. 57 for further consideration.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules, having had under consideration motion by Ahlgreen to suspend the rules of the House and place House Bills 507 and 508 on General Orders for consideration by the Committee of the Whole House, respectfully report as follows: That said motion be adopted.

BYRNE, Chairman.

On motion of Byrne, report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration Senate Bill No. 165, entitled: "An Act relating to the disposal of royalties and rentals hereafter received by the state from oil, gas and other mineral rights which have been reserved by the state from contracts and conveyances made prior to February 26, 1929 of lands acquired by the state through mortgage foreclosures, and providing for the payment of six and one-fourth per cent (6¼%) of such royalties or rentals to the purchasers of such lands," respectfully report as follows: That Senate Bill No. 165 be not concurred in.

METLEN, Chairman.

It was moved by Metlen, duly seconded, that the report be adopted.

On substitute motion, it was moved by Minette, duly seconded and carried, that the report be not adopted and that Senate Bill No. 165 be placed on General Orders.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 182, entitled: "An Act providing for the acquisition, purchase, construction, reconstruction, improvement, betterment, extension, operation and maintenance of revenue-producing undertakings by any city and town, however organized; authorized and regulating the issuance of revenue bonds for financing such undertakings; and providing for the payment of such bonds and the rights of holders there-

of," respectfully report as follows: That Senate Bill No. 182 be amended as follows: Amend Section 2 by inserting in line 4, after the word, "water" the words, "natural gas".

And as amended, be concurred in.

GOODWIN, Chairman.

On motion of Gordon, report adopted.

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration Senate Bill No. 160, entitled: "An Act to amend Section 2, Chapter 18, of the Extraordinary Session Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933-1934, to remove the limitation of the period of time during which the oil conservation board of the State of Montana shall be in existence," respectfully report as follows: That Senate Bill No. 160 be not concurred in.

BURRIS, Chairman.

It was moved by Burris, duly seconded, that report be adopted.

On substitute motion, it was moved by Minette, duly seconded and carried, that the report be not adopted and that Senate Bill No. 160 be placed on General Orders.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 169, entitled: "An Act to authorize cities, towns and incorporated villages and the state, its subdivisions and agencies to cooperate with housing authorities and the United States of America by rendering services, conveying or leasing property, and providing for streets, roads and other facilities; to require any city of the first or second class located within a housing authority to make an appropriation for the first year's administrative expenses of such authority; to authorize cities, towns and incorporated villages located within housing authorities to make grants and lend money to such housing authorities; and to declare an emergency requiring that this Act take effect from the date of its passage," respectfully report as follows: That Senate Bill No. 169 be concurred in.

GOODWIN, Chairman.

On motion of Goodwin, report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration Substitute Senate Bill No. 79, entitled: "An Act to authorize Boards of County Commissioners to convey to the United States lands acquired by the county for delinquent taxes and to accept in lieu thereof government lands or standing timber of a value equal to the county lands so exchanged; providing the method of effecting such exchange and disposing of such lieu lands," respectfully report as follows: That Substitute Senate Bill No. 79 be concurred in.

MILLER of Big Horn, Vice-Chairman.

On motion of Miller of Big Horn, report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration Senate Bill No. 104, entitled: "An Act recognizing the liability of the state for the public school permanent fund under Section 3 of Article XI of the Constitution of the state, acknowledging its obligation thereunder to keep such public school fund inviolate and its guarantee against the loss or diversion of any part thereof including the investments in State Farm Mortgage Loans; providing for assuming and taking over as the property of the state itself all such state farm loans and all lands acquired by the state under such loans together with all rights of the state in connection therewith, and providing for the repay-

ment of the amount invested in such farm loans together with interest," respectfully report as follows: That Senate Bill No. 104 be concurred in.

MILLER of Big Horn, Vice-Chairman.

On motion of Miller of Big Horn, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 91, entitled: "An Act relating to tax levies made and fixed by Boards of County Commissioners, city and town councils and commissioners, and other boards and commissions authorized by law to make and fix tax levies," respectfully report as follows: That Senate Bill No. 91 be concurred in.

GOODWIN, Chairman.

On motion of Goodwin, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 132, entitled: "An Act to amend Section 2 of Chapter 33 of the Session Acts of the Twentieth Legislative Assembly of Montana of 1927, relating to the exclusion of territory from the corporate limits of cities and towns, and providing for the vacation of streets, alleys, avenues, and public places upon the exclusion of such territory," respectfully report as follows: That Senate Bill No. 132 be concurred in.

GOODWIN, Chairman.

On motion of Goodwin, report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration Senate Bill No. 53, entitled: "An Act to amend Section Four (4) of Chapter Six (6) of the Session Acts of Montana, Twenty-first Session, 1929, relating to the production, use, sale, dispensing, and possession of mariahuana, or any derivative, and making it a felony for the violation of the provisions hereof, and repealing Acts and parts of Acts in conflict herewith," respectfully report as follows: That Senate Bill No. 53 be amended as follows: I move to amend the title by striking out after the word "amend" in line 1 thereof the following: "Section 4 of Chapter 6 of the Session Acts of Montana Twenty-first Session" and inserting in lieu thereof the following: "Sections 1, 2 and 4 of Chapter 6 of the Session Laws of the Twenty-first Legislative Assembly of Montana,"

Further amend Senate Bill No. 53 by inserting immediately after the enacting clause the following:

"Section 1. That Section 1 of Chapter 6 of the Session Laws of the Twenty-first Legislative Assembly of the State of Montana, 1929, be, and the same is hereby amended to read as follows:

"Section 1. No person, save as in Section 3 hereof, shall use, possess, sell, furnish, or otherwise dispose of any mariahuana seeds or plants (also known as cannabis sativa, cannabis indica, or Indian Hemp) or any derivative mixture or preparation thereof, for any purpose whatsoever."

"Section 2. That Section 2 of Chapter 6 of the Session Laws of the Twenty-first Legislative Assembly of the State of Montana, 1929, be, and the same is hereby amended to read as follows:

"Section 2. No person shall knowingly permit any mariahuana seeds or plants (also known as cannabis sativa, cannabis indica, or Indian Hemp) or any derivative, mixture, or preparation thereof to be grown, used, possessed, sold, furnished, or otherwise disposed of save as in Section 3 hereof, on any premises of which he is the occupant or owner in fee or as lessor or lessee, renter or otherwise."

Further amend Senate Bill No. 53 by striking out after the figure "6" in line 1 of the printed bill the following: "of Session Acts of Montana, Twenty-first Assembly," and inserting in lieu thereof the following: "of Session Laws of the Twenty-first Legislative Assembly of the State of Montana";

And also change section in line 1 of the printed bill to read "Section 3" and renumber the subsequent sections.

And as amended, be concurred in.

MONAHAN, Chairman.

On motion of Monahan, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 470, entitled: "An Act relating and adding to the powers and duties of the commissioner of the Department of Agriculture, Labor and Industry by the creation of a division of housing for the purpose of constructing low cost housing in order to promote home ownership for persons of low income in the interests of increased labor activities and of health and the public welfare; providing for the appointment and compensation of assistants; making an appropriation for the conduct of said division; providing non-liability of State of Montana for all departmental Acts and defining the source of liability for departmental Acts; repealing all Acts in conflict herewith and declaring an emergency," respectfully report as follows: That House Bill No. 470 do not pass.

FOWLER, Chairman.

On motion of Green of Dawson, report adopted.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Toomey of Lewis and Clark in the Chair. Committee arose.
House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That Senate Bill No. 192 be concurred in.

That Senate Bill No. 207 be amended as follows: Amend Section 1 after the word "behalf" at the end of said section and as a part of said section the following: "This Act is expressly declared to be retrospective in its operation and shall include all claims for death or disability resulting or becoming known within twelve (12) months from the effective date hereof." and as amended, be concurred in.

That Senate Bill No. 217 be concurred in.

That Senate Bill No. 191 be concurred in.

That Senate Bill No. 26 be passed temporarily.

That Senate Joint Resolution No. 6 be not concurred in.

That Substitute for Substitute Senate Bill No. 8 be amended as follows: Amend the title by striking the title and inserting in lieu thereof the following: "A Bill for an Act entitled: "An Act requiring public utilities to file an annual statement of the value of all property for rate making purposes and prescribing the method of assessing such properties for taxation." Amend Section 1 by striking all of Section 1 and inserting in lieu thereof the following: "Section 1. Every public utility as defined in Section 3881 of the Revised Codes of Montana of 1921, shall file on or before March 1 of each year with the Public Service Commission,

in such form as the commission may require, a statement of the full and true value of all the property used and useful within the state for rate making purposes"; amend by adding a new section to be known as Section 2, and to read as follows: "Section 2. The Board of Equalization and the County Assessors of the various counties of the state shall not assess the property, both real and personal, of any public utility as defined in Section 3881, at a less value for taxation purposes than its value submitted for rate making purposes"; and that the subsequent sections be renumbered accordingly; and as amended, be concurred in.

That Senate Bill No. 213 be amended as follows: Amend Section 2 by striking out in line 2 after the word "pay" all of said Section and inserting in lieu thereof the words "all such moneys as follows, fifty per cent (50%) to the County General Fund and Fifty per cent (50%) to the Common School Fund of the County"; amend the title by striking out in line 5 after the word "pay" all the balance of title and insert in lieu thereof the words "and to provide for the allocation and distribution of said funds by the County Treasurer to the proper funds of the county"; and as amended, be concurred in.

That Senate Bill No. 165 be not concurred in.

That Senate Bill No. 182 be concurred in.

That Senate Bill No. 160 be concurred in.

That Senate Bill No. 169 be concurred in.

That Substitute Senate Bill No. 79 be concurred in.

That Senate Bill No. 104 be concurred in.

That Senate Bill No. 91 be concurred in.

That Senate Bill No. 132 be concurred in.

That Senate Bill No. 53 be concurred in.

That Senate Bill No. 26 be indefinitely postponed.

That Senate Bill No. 57 be not concurred in.

TOOMEY, Chairman.

It was moved by Toomey, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by Leavitt, duly seconded and carried, that Senate Joint Resolution No. 6 be segregated from the report of the Committee of the Whole.

It was moved by Stromnes, duly seconded, that Senate Bill No. 217 be segregated from the report of the Committee of the Whole. Motion was lost.

Whereupon, Committee of the Whole report as amended, was adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, request the House for the return of H. B. No. 218 for further consideration.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that the request of the Honorable Senate for the return of House Bill No. 218 be granted.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 191, introduced by Plank, Sparling, Holton, Kilduff and Angvick, was concurred in by the following vote:

Ayes: Acher, Anderson, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Ecton, Egan, Emmens, Ewing, Foor, Goodwin, Gordon, Green (Dawson), Groene (Fergus), Haight, Hall, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kruse, Kuhl, Lasby, Lemmer, Liggett, Logan, Lott, McCausland, McLaughlin, Manning, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Mundy, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Valley), Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, White (Judith Basin), White (Hill), York. Total 76.

Noes: Ahlgreen, Hamilton, Lippard, Toomey, Watson, Worden, Mr. Speaker. Total 7.

Absent and not voting: Balgord, Byrne, Doe, Emmett, Fowler, Gray, Joffray, Kelly, Leary, Leavitt, Lovell, Masterson, Minette, Neary, Ormsbee, Peterson (Gallatin), Quigley, Stromnes, Whaley. Total 19.

The Speaker: Seventy-six have voted "aye"; seven have voted "no"; Senate Bill No. 191 has been concurred in.

Senate Bill No. 213, introduced by Garrison, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harlen, Harwood, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Ritch, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 84.

Noes: None.

Absent and not voting: Balgord, Ballard, Bertsche, Byrne, Egan, Emmett, Fowler, Groene (Fergus), Haugan, Joffray, Leary, Minette, Mitchell, Moss, Ormsbee, Quigley, Rolph, Stromnes. Total 18.

The Speaker: Eighty-four have voted "aye"; none have voted "no"; Senate Bill No. 213 has been concurred in.

Substitute Senate Bill No. 22, introduced by Carroll and Garrison, was concurred in by the following vote:

Ayes: Ahlgreen, Anderson, Ballard, Brennan, Burris, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Emmens, Foor, Fowler, Gordon, Green (Dawson), Hamilton, Harlen, Hinerman, Johnson, Kathan, Kruse, Kuhl, Lasby, Leavitt, Lippard, Lott, Lovell, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Neary, Nutting, O'Brien, O'Byrne, Petersen (Sheridan), Peterson (Valley), Rolph, Ryan, Sexton, Sherman, Spiegel, Stimatz, Whaley, White (Hill), York, Mr. Speaker. Total 52.

Noes: Acher, Balgord, Bertsche, Boone, Busch, Buttelman, Byrne, Doe, Ecton, Emmett, Ewing, Goodwin, Groene (Fergus), Haight, Hall, Har-

wood, Haugan, Heavlin, Hedden, Joffray, Kelly, Lemmer, Liggett, Logan, McCausland, Metlen, Minette, Moss, Mundy, Nelson, O'Connor, Padbury, Parker, Peterson (Gallatin), Ritch, Scofield, Smith, Southmayd, Stevens, Stromnes, Toomey, Watson, White (Judith Basin,) Worden. Total 44.

Absent and not voting: Egan, Gray, Holding, Leary, Ormsbee, Quigley. Total 6.

The Speaker: Fifty-two have voted "aye"; forty-four have voted "no"; Substitute Senate Bill No. 22 has been concurred in.

Senate Bill No. 207, introduced by Hennessy and Coburn, was concurred in by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Connors, Coultas, Cusick, Doe, Ecton, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harwood, Heavlin, Hedden, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Ritch, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 83.

Noes: None.

Absent and not voting: Acher, Byrne, Conner, Egan, Gordon, Gray, Harlen, Haugan, Holding, Joffray, Leary, McLaughlin, Minette, Moss, Nelson, Ormsbee, Quigley, Rolph, Stromnes. Total 19.

The Speaker: Eighty-three have voted "aye"; none have voted "no"; Senate Bill No. 207 has been concurred in.

Senate Bill No. 93, introduced by Nass and Benjamin, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Brennan, Burris, Busch, Buttelman, Byrne, Chapman, Connors, Cusick, Egan, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Haight, Hamilton, Harlen, Haugan, Hedden, Hinerman, Johnson, Kuhl, Lasby, Leavitt, Liggett, Lippard, Lovell, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Mitchell, Monahan, Mulholland, Nutting, O'Brien, O'Byrne, O'Connor, Padbury, Parker, Peterson (Gallatin), Peterson (Valley), Ritch, Rolph, Ryan, Scofield, Sexton, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Whaley, York, Mr. Speaker. Total 63.

Noes: Bertsche, Chamberlain, Doe, Ecton, Emmett, Emmons, Groene (Fergus), Hall, Heavlin, Kathan, McCausland, Miller (Big Horn), Minette, Mundy, Nelson, Stromnes, Watson, White (Judith Basin), White (Hill), Worden. Total 20.

Absent and not voting: Boone, Conner, Coultas, Fowler, Harwood, Holding, Joffray, Kelly, Kruse, Leary, Lemmer, Logan, Lott, Moss, Neary, Ormsbee, Petersen (Sheridan), Quigley, Sherman. Total 19.

The Speaker: Sixty-three have voted "aye"; twenty have voted "no"; Senate Bill No. 93 has been concurred in.

It was moved by Boone, duly seconded, that Senate Bill No. 2 be laid on the table.

On substitute motion, it was moved by Chapman, duly seconded and carried, that the House proceed with the roll call on Senate Bill No. 2.

Senate Bill No. 2, introduced by Simmons, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Gordon, Gray, Green (Dawson), Hall, Hamilton, Harlen, Haugan, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Lovell, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Parker, Peterson (Gallatin), Peterson (Valley), Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Stevens, Stimatz, Stromnes, Whaley, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 76.

Noes: Doe, Goodwin, Groene (Fergus), Heavlin, Mundy, Nelson, Padbury, Toomey, Watson, Worden. Total 10.

Absent and not voting: Byrne, Haight, Harwood, Kelly, Kruse, Leary, Logan, Lott, McCausland, Minette, Moss, Ormsbee, Petersen (Sheridan), Quigley, Ritch, Spiegel. Total 16.

The Speaker: Seventy-six have voted "aye"; ten have voted "no"; Senate Bill No. 2 has been concurred in.

Senate Bill No. 84, introduced by Committee on Public Lands, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Hall, Harlen, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kuhl, Lasby, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, McLaughlin, Metlen, Miller (Roosevelt), Miller (Big Horn), Monahan, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Padbury, Parker, Peterson (Gallatin), Peterson (Valley), Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 79.

Noes: Stimatz. Total 1.

Absent and not voting: Byrne, Coultas, Doe, Groene (Fergus), Haight, Hamilton, Harwood, Kelly, Kruse, Leary, Leavitt, Logan, Manning, Masterson, Minette, Mitchell, Moss, Nelson, Ormsbee, Petersen (Sheridan), Quigley, Ritch. Total 22.

The Speaker: Seventy-nine have voted "aye"; one has voted "no"; Senate Bill No. 84 has been concurred in by the House.

Senate Bill No. 192, introduced by Plank, Sparling, Holton, Kilduff and Angvick, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Harlen, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kuhl, Lasby, Leavitt, Lemmer, Lippard, Lott, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Connor, Padbury, Parker, Peterson (Gallatin), Peterson (Valley), Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Stevens, Toomey, Whaley, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 76.

Noes: Emmett, Hall, Hamilton, Liggett, Lovell, Watson, Worden. Total 7.

Absent and not voting: Byrne, Conner, Harwood, Kelly, Kruse, Leary, Logan, Manning, Minette, Moss, O'Byrne, Ormsbee, Petersen (Sheridan), Quigley, Ritch, Rolph, Southmayd, Stimatz, Stromnes. Total 19.

The Speaker: Seventy-six have voted "aye"; seven have voted "no"; Senate Bill No. 192 has been concurred in by the House.

Senate Bill No. 39, introduced by Committee on Banks and Banking, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, O'Brien, O'Byrne, O'Connor, Peterson (Gallatin), Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 81.

Noes: Stimatz. Total 1.

Absent and not voting: Burris, Conner, Connors, Coultas, Doe, Kelly, Kruse, Leary, Logan, Minette, Moss, Nutting, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Valley), Quigley, Ritch, Rolph. Total 20.

The Speaker: Eighty-one have voted "aye" one has voted "no"; Senate Bill No. 39 has been concurred in by the House.

Senate Bill No. 153 introduced by Benjamin and Nass, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Busch, Buttelman, Byrne, Chamberlain, Conner, Cusick, Ecton, Egan, Emmett, Ewing, Foor, Gordon, Gray, Green (Dawson), Haight, Hall, Harwood, Haugan, Hedden, Johnson, Kuhl, Lasby, Leavitt, Liggett, Lippard, Logan, Lott, McCausland, McLaughlin, Manning, Miller (Roosevelt), Miller (Big Horn), Moss, Nutting, Parker, Peterson (Valley), Rolph, Scofield, Sexton, Smith, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York. Total 54.

Noes: Bertsche, Boone, Brennan, Burris, Chapman, Connors, Doe, Emmons, Goodwin, Groene (Fergus), Hamilton, Harlen, Heavlin, Holding, Hinerman, Joffray, Kathan, Lemmer, Lovell, Masterson, Metlen, Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, O'Brien, O'Byrne, O'Connor, Ryan, Sherman, Southmayd, Spiegel, Mr. Speaker. Total 35.

Absent and not voting: Ballard, Coultas, Fowler, Kelly, Kruse, Leary, Minette, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Quigley, Ritch. Total 13.

The Speaker: Fifty-four have voted "aye"; thirty-five have voted "no"; Senate Bill No. 153 has been concurred in by the House.

Senate Bill No. 182, introduced by Garrison, Plank, Sparling and Holt, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Cusick, Doe, Ecton, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon,

Gray, Green (Dawson), Haight, Hall, Hamilton, Harlen, Harwood, Heavlin, Hedden, Holding, Hinerman, Johnson, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Mulholland, Neary, Nelson, Nutting, O'Brien, O'Byrne, Padbury, Peterson (Gallatin), Peterson (Valley), Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 77.

Noes: Groene (Fergus). Total 1.

Absent and not voting: Byrne, Coultas, Egan, Emmett, Haugan, Joffray, Kathan, Kelly, Kruse, Kuhl, Leary, Metlen, Minette, Monahan, Moss, Mundy, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Quigley, Ritch, Stromnes, Worden. Total 24.

The Speaker: Seventy-seven have voted "aye"; one has voted "no"; Senate Bill No. 182 has been concurred in by the House.

Senate Bill No. 188, introduced by Oliver, Kelsey, Arnold, Anderson, Eaton, Cotter, Coburn, Angvick, Kalberg, Melton, Plumer, Carroll, Thien, Simmons, Stevens, Groff, Benjamin, Holton, Hollenback, Garrison, Lamp, Ekegren, Harris, Parkin, Pauline, Page, Putnam, Clifford, Armstrong, Delaney, Carey, MacGillvra, Baker, Sullivan, Colbo, Nass, Larson, failed to be concurred in by the following vote:

Ayes: Acher, Anderson, Balgord, Busch, Buttelman, Byrne, Conner, Ecton, Emmett, Gray, Green (Dawson), Hall, Hedden, Johnson, Lott, Moss, Mundy, Nutting, O'Connor, Scofield, Smith, Southmayd, Stimatz, Stromnes, Toomey, Watson, White (Judith Basin). Total 27.

Noes: Ahlgreen, Ballard, Boone, Brennan, Burris, Chamberlain, Chapman, Connors, Cusick, Egan, Emmons, Ewing, Foor, Goodwin, Gordon, Groene (Fergus), Haight, Hamilton, Harwood, Haugan, Heavlin, Holding, Hinerman, Kathan, Lasby, Lemmer, Liggett, Lippard, Logan, Lovell, McCausland, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Neary, Nelson, O'Brien, O'Byrne, Parker, Peterson (Gallatin), Peterson (Valley), Rolph, Ryan, Sherman, Spiegel, Stevens, Whaley, White (Hill), York, Mr. Speaker. Total 55.

Absent and not voting: Bertsche, Coultas, Doe, Fowler, Harlen, Joffray, Kelly, Kruse, Kuhl, Leary, Leavitt, Metlen, Minette, Ormsbee, Padbury, Petersen (Sheridan), Quigley, Ritch, Sexton, Worden. Total 20.

The Speaker: Twenty-seven have voted "aye"; fifty-five have voted "no"; Senate Bill No. 188 has failed to be concurred in by the House.

Substitute for Substitute Senate Bill No. 8, introduced by Committee on Taxation, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Cusick, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Green (Dawson), Haight, Hall, Hamilton, Harlen, Harwood, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Kathan, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, McCausland, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Parker, Peterson (Gallatin), Peterson (Valley), Rolph, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Hill), York, Mr. Speaker. Total 79.

Noes: None.

Absent and not voting: Conner, Coultas, Doe, Gray, Groene (Fergus), Haugan, Kelly, Kruse, Leary, Lovell, Metlen, Minette, Moss, Mundy, Ormsbee, Padbury, Petersen (Sheridan), Quigley, Ritch, Smith, Stromnes, White (Judith Basin), Worden. Total 23.

The Speaker: Seventy-nine have voted "aye" none have voted "no"; Substitute for Substitute Senate Bill No. 8 has been concurred in by the House.

Senate Bill No. 53, introduced by Shannon, was concurred in by the following vote:

Ayes: Acher, Anderson, Balgord, Ballard, Bertsche, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Cusick, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kuhl, Lasby, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, McLaughlin, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Parker, Peterson (Gallatin), Peterson (Valley), Rolph, Ryan, Sexton, Sherman, Spiegel, Stevens, Stimatz, Toomey, Watson, White (Hill), York. Total 71.

Noes: Ahlgreen, Mr. Speaker. Total 2.

Absent and not voting: Boone, Coultas, Doe, Ecton, Fowler, Groene (Fergus), Joffray, Kelly, Kruse, Leary, Logan, Manning, Master-son, Minette, Moss, Nelson, Ormsbee, Padbury, Petersen (Sheridan), Quigley, Ritch, Scofield, Smith, Southmayd, Stromnes, Whaley, White (Judith Basin), Worden. Total 29.

The Speaker: Seventy-one have voted "aye"; two have voted "no"; Senate Bill No. 53 has been concurred in by the House.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, requests the House for the return of H. B. No. 443 to the Senate for further consideration.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that the request of the Honorable Senate for the return of House Bill No. 443 be granted.

It was moved by Byrne, duly seconded and carried, that the House adjourn until 11:00 o'clock A. M., Wednesday, March 6th, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FIFTY-NINTH DAY

House of Representatives,
Helena, Montana. March 6th, 1935.

House convened, pursuant to adjournment, at 11:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by Chaplain.

A quorum for the transaction of business was present. The following were excused: Ormsbee and Joffray.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the fifty-eighth legislative day, find the same to be correct.

QUIGLEY, Chairman.

Without objection, report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 284, 375, 338, 320, 293, 322, 323, do hereby report that said bills, together with copies thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11:10 o'clock, A. M., delivered to the Governor for his approval.

MONAHAN, Chairman.

Without objection, report adopted.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following correctly enrolled: Substitute for Substitute House Bill No. 36, House Bills Nos. 54, 201, 331, 346, 390, 413.

MONAHAN, Chairman.

Without objection, report adopted.

I have read Substitute for Substitute House Bill No. 36 as reported from the Enrolling Committee and certify same to be correct.

BOONE.

I have read House Bill No. 54 as reported from the Enrolling Committee and certify same to be correct.

KUHL.

I have read House Bill No. 201 as reported from the Enrolling Committee and certify same to be correct.

STROMNES.

I have read House Bill No. 331 as reported from the Enrolling Committee and certify same to be correct.

MANNING.

I have read House Bill No. 346 as reported from the Enrolling Committee and certify same to be correct.

MINETTE.

I have read House Bill No. 390 as reported from the Enrolling Committee and certify same to be correct.

EMMONS.

I have read House Bill No. 413 as reported from the Enrolling Committee and certify same to be correct.

PARKER.

The Speaker announced he was about to sign Substitute for Substitute House Bill No. 36, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 54, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 201, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 331, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 346, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 390, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 413, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Conference Committee on Substitute House Bill No. 195, having had under consideration Substitute House Bill No. 195 as amended, entitled: "An Act for the payment of old age assistance; establishing a State Old Age Pension Commission, County Old Age Pension Commission; prescribing their duties as such; giving to said commissions certain powers, duties and obligations; defining the qualifications of those entitled to receive old age assistance; providing for the manner of arriving at the amount thereof; providing for the administration of said Act, forms of applications; requiring counties to pay a portion of said assistance from county poor funds and providing for a levy therefor providing funds for the State Old Age Pension Commission and establishing a special fund known as the State Old Age Assistance Fund; providing that aid from the United States Government in furtherance of this Act be placed in said fund; providing that the counties be refunded not to exceed seventy-five per cent of the amount expended for assistance from said fund; providing for the investigation of claims, approval thereof, granting of assistance and to whom paid; providing for revocation and review of assistance grants; providing for the residence of applicants, and change of residence; providing for reports; prohibiting the assigning of grants; permitting under certain conditions claims to be made by the state and counties against the estate of deceased Old Age Pensioners; providing for assignment of property by recipient of pensions; recovery of assistance payments; providing for the expenses incurred in carrying out the provisions of the Act; making certain Acts fraudulent; and repealing all Acts in conflict herewith," respectfully report as follows: That the House concur in the Senate amendments.

STEVENS, Chairman of House Committee.

GARRISON, Chairman of Senate Committee.

STATEMENT

The bill as amended meets the Federal Government requirements that will give Federal Aid to old age pensions and sets up the required state agency.

STEVENS.

On motion of Stevens, duly seconded, the report of the Conference Committee on Substitute House Bill No. 195 was adopted by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Busch, Buttelman, Byrne, Conner, Connors, Coultas, Cusick, Ec-

ton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Byrne, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Stevens, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, Mr. Speaker. Total 77.

Noes: Stimatz. Total 1.

Absent and not voting: Burris, Chamberlain, Chapman, Doe, Gray, Harlen, Harwood, Haugan, Joffray, Kelly, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Moss, O'Brien, O'Connor, Ormsbee, Peterson (Valley), Spiegel, Stromnes, York. Total 24.

The Speaker: Seventy-seven have voted "aye," one has voted "no"; the report has been adopted.

Mr. Speaker: We, your Joint Conference Committee, to whom was referred Senate amendments to Substitute House Bill No. 204, respectfully report and recommend that the House agree to all Senate amendments.

BOONE,
MINETTE,
MASTERTON,
For the House.

KEELEY,
CHURCH,
CLIFFORD,
For the Senate.

STATEMENT

The effect of Senate amendments to Substitute House Bill No. 204 is to change the place of execution from prison property to some convenient place in or near to capitol city of state.

CONFERENCE COMMITTEE.

On motion of Boone, duly seconded, the report of the Conference Committee on Substitute House Bill No. 204 was rejected by the following vote:

Ayes: Acher, Anderson, Balford, Ballard, Bertsche, Boone, Brennan, Buttelman, Chapman, Connors, Coultas, Cusick, Doe, Emmett, Goodwin, Gordon, Gray, Haight, Haugan, Heavlin, Hedden, Hinerman, Joffray, Kuhl, Leary, Lemmer, Logan, Lott, Nutting, O'Byrne, Parker, Quigley, Southmayd, Stevens, Stromnes, Toomey, Mr. Speaker. Total 37.

Noes: Ahlgreen, Busch, Byrne, Chamberlain, Ecton, Emmons, Ewing, Foor, Fowler, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harwood, Holding, Johnson, Kathan, Kelly, Kruse, Lasby, Leavitt, Liggett, Miller (Roosevelt), Miller (Big Horn), Minette, Moss, Mulholland, Mundy, Neary, Nelson, Padbury, Petersen (Sheridan), Peterson (Gallatin), Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Stimatz, Watson, Whaley, White (Judith Basin), White (Hill), Worden. Total 47.

Absent and not voting: Burris, Conner, Egan, Harlen, Lippard, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Mitchell, Monahan, O'Brien, O'Connor, Ormsbee, Peterson (Valley), York. Total 18.

The Speaker: Thirty-seven have voted "aye," forty-seven have voted "no"; the Conference Committee report has been rejected.

Mr. Speaker: We, your Conference Committee on Senate amendments to House Bill No. 350, respectfully report as follows:

The Senate Committee recedes from the amendment to Section 3 of House Bill No. 350, and it is agreed in Conference Committee that Section 3 shall read as follows:

"Section 3. That any religious, national fraternal, or charitable organization and all private homes, are not included in the provisions of this Act."

GRAY,
JOFFRAY,
BALLARD,
For the House.

PARKIN,
PLUMER,
BENJAMIN,
For the Senate.

STATEMENT

Senate amendments to House Bill No. 350, Section 3, strike out the words in lines 1 and 2: "Social, fraternal or charitable, and all private homes."

The Senate receded in its amendment to Section 3.

Section 3 now reads that any religious national fraternal or charitable organization and all private homes are not included within the provisions of this Act.

On motion of Gray, duly seconded, the report of the Conference Committee on House Bill No. 350 was adopted by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Busch, Buttelman, Chamberlain, Conner, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Goodwin, Gray, Groene (Fergus), Haight, Hall, Hamilton, Harlen, Haugan, Heavlin, Hedden, Holding, Hinerman, Joffray, Kathan, Kelly, Kuhl, Lasby, Liggett, Logan, Lott, Lovell, McLaughlin, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Mulholland, Neary, Nutting, O'Brien, Padbury, Parker, Petersen (Sheridan), Ritch, Rolph, Ryan, Scofield, Sherman, Smith, Southmayd, Spiegel, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Mr. Speaker. Total 67.

Noes: Gordon, Nelson, Stimatz. Total 3.

Absent and not voting: Acher, Burris, Byrne, Chapman, Connors, Foor, Fowler, Green (Dawson), Harwood, Johnson, Kruse, Leary, Leavitt, Lemmer, Lippard, McCausland, Manning, Masterson, Monahan, Moss, Mundy, O'Byrne, O'Connor, Ormsbee, Peterson (Gallatin), Peterson (Valley), Quigley, Sexton, Stevens, Stromnes, Worden, York. Total 32.

The Speaker: Sixty-seven have voted "aye," three have voted "no"; the report of the Conference Committee has been adopted.

The Speaker announced he was about to sign Senate Bill No. 101, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Joint Memorial No. 5, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 94, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 155, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 67, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 197, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 127, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 151, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Joint Memorial No. 1, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Joint Resolution No. 5, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Joint Memorial No. 4, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 118, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 164, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Joint Resolution No. 7, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 145, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

REPORT OF THE SPECIAL INVESTIGATING COMMITTEE OF THE
HOUSE APPOINTED BY THE SPEAKER UNDER AND BY VIRTUE
OF HOUSE RESOLUTION NO. 6, INTRODUCED ON THE 30TH
DAY OF JANUARY, 1935.

We, your Committee appointed under and by virtue of House Resolution No. 6 a resolution providing for the investigation of relief administration in the State of Montana, beg leave to report as follows:

Your committee as appointed by the Speaker, consisting of Representatives Ritch, Chairman; Hedden, Holding, Monahan and Egan, met and organized February 5th, 1935. A secretary, Zelma Trimble, was selected to record the minutes of the committee and to make a record of testimony of the several witnesses called to testify before the committee and to have care of the numerous records submitted to the committee.

The committee expresses its appreciation for the assistance given by the State Relief Administrator and the heads and employees of his various departments.

In preparing this report the committee attempts to give, as fully as possible, a statement of its work and of the several hearings and taking of testimony it conducted.

The second meeting of the committee was had on February 12th, 1935, in Senate Room No. 14, at four o'clock P. M., all members being present.

At this meeting Dr. Butler, State Relief Administrator, Mr. Gerson, Mr. MacMillan and the various other heads of departments under Dr. Butler, appeared to testify as to their various duties in the office of the State Relief Administrator.

Following the testimony of Dr. Butler and his assistants, testimony and complaints of several people on relief from Great Falls, Billings and Miles City were heard. Communications received by the chairman from Boards of County Commissioners of various counties were submitted to the committee for their perusal and examination.

A meeting was held February 16th, 1935, in Committee Room No. 420, at ten o'clock A. M., all members of the committee being present. The statements and complaints of various persons from Great Falls and Billings were heard at this meeting and numerous affidavits from other persons not appearing were filed.

A meeting was held in Senate Room No. 14, February 21st, 1935, at three o'clock P. M., all members of the committee being present. Senator Angvick and Representatives Petersen and York, all of Sheridan County, were invited to be present at this meeting; also Dr. Butler, Mr. Gerson and Mr. Hudtloff from the State Relief Administration Office.

Dr. W. J. Butler, Relief Administrator, Mr. Sam Gerson, Social Service Director and Mr. Hudtloff, Comptroller, testified further as to their official work.

A committee of five persons, headed by Hans Rasmussen, representing the complainants from Sheridan County, appeared and gave testimony as to relief work in Sheridan County. Senator Angvick and Representatives York and Petersen of Sheridan County all made statements to the committee in support of the statements made by the complainants from that county.

H. H. Fredrickson of Great Falls appeared at the meeting to file affidavits in support of his previous complaints.

A meeting of the committee was held in room No. 123, Harvey Hotel, on February 24th, 1935 at 10:15 o'clock A. M., all members of the committee being present. A general discussion of the testimony previously submitted to the committee was had and the form of a report to the House was decided upon.

A meeting of the committee was held in Committee Room No. 419, Friday afternoon, March 1st, 1935, at 1:15 o'clock P. M. Those present at the beginning of the meeting were Ritch, Holding and Hedden, Messers. Egan and Monahan coming in later.

The testimony of G. G. Davis, H. W. Crandall and D. J. Crosby, all of Forsyth, Montana, was here. A letter from John Leslie, Chairman of the Board of County Commissioners of Cascade County, setting forth certain acts of discrimination of the social workers in Cascade County, was presented to the committee. Further discussion of the testimony and statements received thus far was had.

All records, letters, affidavits and copies of all testimony submitted at the hearings of the committee are submitted along with this report.

THE WORK OF THE COMMITTEE

This committee has had a great many complaints from persons receiving relief and from County Commissioners throughout the state. It has also had the statement of Dr. Butler, Relief Administrator, and most of his assistants at the head of various departments of the Relief Administration. It has endeavored to treat every person appearing before it with proper courtesy and consideration. It finds that many of the statements made by officials of the Relief Administration are at variance with the testimony presented by persons on relief and those representing persons on relief.

From many sources of evidence secured it appears to the committee that there have been some acts of discrimination and a considerable waste of funds in the administration of such relief. It should be recalled, however, that the organization is new and that the Federal set-up is unwieldy and top heavy with regulations and restrictions and instructions from sources higher up than the state administration. We are further of the opinion that these restrictions and regulations tend to hinder a more satisfactory administration of relief within the State of Montana.

It is not intended by this statement to reflect adversely upon the efforts of Mr. Butler to give the service and relief for which his organization functions. The greater part of the trouble as located by the committee, seems to be, in many cases, a lack of efficiency on the part of the social workers and case workers. It would seem that this would reflect in a lack of coordination between the social workers and case workers and the County Administrator, and from the County Administrator to the State Relief Office.

Our investigation impresses us with the belief that Dr. Butler has labored conscientiously toward developing his organization into an efficient service body; that he has met many obstacles in this work which he has been unable to overcome thus far; that he has been hampered by the usual Federal restrictions and regulations; that it has been his intention always to help those on relief and to alleviate their condition as far as his instructions would permit.

Your committee wishes to state further that as far as our investigation of the State Relief Headquarters at Helena has revealed, we find that it is well established and that the set-up is complete, and that we find no fault with the organization of the State Relief Office.

Mr. Sam Gerson, Social Service Director, has been under constant fire all during this investigation. The committee has made diligent inquiry as to Mr. Gerson's work. In fairness to him the committee states that he is a man of wide experience in social welfare activities, having been so engaged for the past twenty years; that he has labored tirelessly to bring about a better co-ordination of his field service with the State Administrator's Office; that his failure to do so in as satisfactory a way as might be desired appears to be caused largely by the restrictions and regulations laid upon him by the departments of the Federal Administration higher up. The committee has found Mr. Gerson to be sympathetic and earnest in his every effort, and believes that he would be able to give a much more efficient service if such restrictions and regulations did not exist.

This committee has full sympathy toward people on relief. It has willingly heard all complaints and has given such complaints due consideration. Yet the only power granted to the committee is to offer its recommendations and its findings.

As a partial solution to the difficulties now existing, the committee recommends that competent persons who need the work, residents of Montana familiar with the people and conditions in the state, should be given

preference in such work. These persons need not necessarily be employed in their home counties but possibly should be employed in near by counties where the conditions are similar to those at home. The investigation reveals that in several counties persons are employed in relief work who are very well able to get along without such employment while others on relief, equally competent, are not considered. Re-organization along these lines in the various counties would take many persons off relief and reduce the relief budget for such counties.

The investigation further reveals that in numerous cases the social workers have adopted an attitude toward those on relief not consistent with satisfactory results. This attitude is one of patronizing the unfortunates on relief rather than meeting them with the proper sympathy and consideration for their unenviable condition.

Statements furnished to the committee from the State Administrator's Office regarding mileage show in several instances what would appear to be unwarranted extravagance in this particular feature of the relief work. In some counties the mileage runs far beyond what would seem to be necessary; in others it appears to be a proper expense charge. The committee recommends that the State Relief Administration has been in effect a sufficient time to adjust this expense to a proper basis.

The committee further recommends, if it may be possible, that in each county one person be appointed to hear the grievances of those on relief in that county, and that this person have direct communication with the State Relief Office in regard to such grievances; that he have no connection whatever either with the local administrator of relief or with any social welfare worker or other relief employees in such county. The committee is informed by Dr. Butler that there is at the present time a Grievance Board of Three members of each county, but our information is that only the board in Silver Bow County functions as a helpful unit in the work of relief. It does not appear to the committee that this person acting as a mediator between the State Relief Administration and people on relief would necessarily be employed full time. In the less populous counties such as Treasure, Petroleum, Mineral and Sanders, possibly two days each month would suffice to attend to such work. In the more populous counties such as Cascade, Yellowstone and Missoula we believe that four to six days per month would meet the requirements. This recommendation is offered for the reason that this mediator would know local conditions better and more intimately than an outsider unfamiliar with such conditions.

The proposition has been set up to this committee that relief work could be conducted with more economy and efficiency by having it placed in the hands and under the control of the various Boards of County Commissioners. In some counties the opinion seems to be that this could be brought about; in others it appears that it would not be workable. In the majority of counties the opinion appears to be that the work had better be left in the hands of a State Relief Administrator.

The committee finds a great deal of unrest and dissatisfaction among those on relief. Much complaint has been submitted as to the budget for a family and as to why these budgets should not be the same for families of the same number of persons. The Relief Administrator explains this by the fact that the conditions of different families are not identical; that possibly one family has need of more assistance than another, or one individual has need of more assistance than another. The uncertainty as to the amount of funds that will be available has its reflexes upon relief work, some of them being very unsatisfactory to those on relief.

The committee finds a great many complaints that have been filed with it are not sustained by facts after further investigation. It does maintain however, that, as before stated, a reorganization of social wel-

fare workers, an inquiry as to mileage costs in some counties and an investigation as to the actions of some Relief Administrators should be made. This investigation would naturally be made, we believe, by persons designated by the Département of Justice.

SUMMARY

As a summary to this work the committee finds that the office of the State Relief Administrator has made an honest and sincere effort to administer relief in a proper way. That the heads of his departments have endeavored to give him faithful assistance. That the dissatisfaction among those on relief in various localities arises from the unsatisfactory methods pursued by County Relief Administrators, social and welfare workers. It further finds that the State Administrator has created as much work as he possibly could create for persons on relief; that his efforts have been directed always toward helping them as far as his powers to render such help reached.

It further finds that the general condition among the workers of Montana are most unsatisfactory. A large number of people are unemployed and this number increases constantly. Numerous agitators who do not have the public welfare at heart are taking advantage of this condition to create a greater unrest and discontent. The only stable and certain solution of this unhappy problem is to give these unemployed work and a source of steady and assured income. How this condition may be brought about your committee does not undertake to say.

That there is need of a closer and more complete investigation of relief work in many counties of Montana than this committee may make, is apparent. The committee therefore states that such investigation should be made by persons trained in such work in the service of the Department of Justice; and the committee requests that this House act in conformity with its recommendations and make an official request of the proper department to send investigators to the State of Montana to clarify and set right such unsatisfactory details of relief work as now exist. We believe that this action would result in much benefit to those on relief.

Respectfully submitted,

RITCH, Chairman,
HEDDEN,
MONAHAN,
EGAN,
HELDING.

On motion of Ritch, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Stevens, duly seconded and carried, that a new Conference Committee be appointed on Substitute House Bill No. 204.

It was moved by Ritch, duly seconded and carried, that the House request the Senate to return Senate Bill No. 26 for further consideration.

It was moved by Haight, duly seconded, that the rules be suspended to allow the consideration of House Bill No. 26. Motion was referred to the Committee on Rules, Joint Rules and Order of Business.

It was moved by Moss, duly seconded and carried, that Senate amendments to House Bill No. 147 be taken from General Orders and referred to the Committee on Education.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Helding of Missoula in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That Senate amendments to House Bill No. 474 be passed temporarily.

That Senate amendments to House Bill No. 14 be not concurred in and that a Conference Committee be appointed and a like committee requested from the Senate.

That Senate amendments to House Bill No. 303 be concurred in.

That Senate amendments to House Bill No. 364 be not concurred in and that a Conference Committee be appointed and a like committee requested from the Senate.

That Senate amendments to House Bills Nos. 397 and 478 be not concurred in and that a Conference Committee be appointed and a like committee requested from the Senate.

That Senate amendments to House Bill No. 233 be not concurred in and that a Conference Committee be appointed and a like committee requested from the Senate.

That Senate amendments to House Bill No. 289 be passed temporarily.
HELDING, Chairman.

On motion of Helding, report adopted.

The following Conference Committees were appointed by the Speaker:

Senate amendments to House Bill No. 14—Hinerman, Chamberlain and O'Byrne.

Senate amendments to House Bill No. 364—Chapman, Foor and Smith.

Senate amendments to House Bills Nos. 397 and 478—Metlen, Gray and Toomey.

It was moved by Byrne, duly seconded and carried, that the Chief Clerk, upon adjournment, prepare a status sheet of all House Bills showing its number, author, subject matter, and final disposition, and mail a copy to each member, and the Sergeant-at-Arms be instructed to draw a warrant to cover postage, papers and stencils.

It was moved by Byrne, duly seconded and carried, that the House recess until 2:45 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Committee appointed to investigate the Railroad and Public Service Commission, pursuant to House Resolution No. 1, as follows:

BE IT RESOLVED that the Speaker of the House of Representatives appoint a committee of five, to investigate the administration of the Board of Railroad Commissioners for the past biennium, including all departments and divisions thereof, make their findings as a result thereof, and report back to the House of Representatives with recommendations in regard thereof; that the Committee be and it is hereby given plenary power to

subpoena witnesses and to require the attendance of any person or persons whose testimony may be material or proper and to issue subpoenas duces tecum and compel the production of any and all books, records, orders, tariffs, schedules and all other matters necessary to complete investigation of the administration of the Board of Railroad Commissioners, and its ex-office members.

Respectfully beg leave to submit this report:

1. That your committee consisting of Representative Emmons, Chairman; and Representatives Foor, Ahlgreen, O'Byrne, and Ormsbee, immediately organized upon their appointment and thereafter made a study of the records of the commission, subpoenaed witnesses, and examined them under oath.

That we have checked the records either in person or for certain tabulations employed clerks whose work, duly verified, accompanies this report, together with a transcript of the testimony taken.

As a result of our investigation we present the following findings of fact:

1. That the minute records of meetings of the commission are not such as should be kept by any public board, in that, instead of giving such a record as would enable a reader to determine what business actually transpired at the meetings covered, they contain only brief formal statements, which the testimony shows were commonly prepared before or subsequent to the holding of the meeting of which they purport to be the record.

2. That the records of the public hearings show the same have been properly held with one or more members of the commission present as required by law, with the exception of one uncontested hearing conducted by Examiner Silver.

3. That purported meetings of the commission, called to consider the granting even of important permits, have been so informally conducted as to open to question whether such have been meetings at all within the contemplation of the law; meetings were held so informally that the component members were not together at the same time and with no opportunity for motion and discussions and for voting in the presence of each other, seeming to your committee not to be such meetings as are contemplated by law and such as are necessary to protect the public interest.

4. That from the latter part of October, 1934, up to January 7, 1935, the commission was seriously handicapped in performing its functions, such condition resulting from the fact that Commissioner Carey did not attend the hearings and meetings of the board and from the serious illness of Commissioner Stout.

5. That during November and December of 1934, there came before the commission for hearing and determination an unusually large number of applications for permits of convenience and necessity, together with three applications for the discontinuance of steam rail service; that public hearings on some of these had been held prior to November, but that permits on such were granted during these months and that the issuance of such permits (except one) was ordered at a meeting of the commission purported to have been held December 31, 1934; one at purported meeting, January 3, 1935, and January 5, 1935.

6. That the procedure followed in the granting of these permits was at variance with the established practice of the commission in such matters and was conducted under such circumstances as to make highly questionable the adequacy of the protection of the public interest in that:

(a) Commissioner Young conducted, alone, forty-four of the public hearings in connection with these permits, and partial transcripts of such hearings were made in but twenty cases.

(b) With Commissioner Carey not participating in the meetings of December 31, 1934, and January 5, 1935, and with Commissioner Stout too ill to attend to business properly and not having had before him complete transcripts of the hearings he did not attend and not having been otherwise fully informed, the commission was resolved for practical purposes into a one-man board and as such was incompetent to function as the law contemplates.

(c) That some of these applications were put through to final action with unprecedented speed, applications filed December 10 and December 14, 1934, having been acted upon within the month, that of the twenty-nine applications acted upon, twenty were acted and ordered after the commission had been reduced for practical purposes to a one-man board; and in that the volume of business transacted by a seriously crippled board was much greater than that ever before handled in a similar length of time; notwithstanding the testimony of Commissioner Young that similar volumes of "clean-up" business had been handled in other years when the personnel of the board changing viz. in 1924 and in 1926, the record showing that in December of 1924 but one permit was issued; in 1926, none; in 1928, two; in 1930, none; and in 1932, three.

(d) That, according to the testimony of Chief Clerk McLaren, the usual practice of putting before the board the various papers and records in the cases involved was dispensed with and that the usual "order and report" made out on each case acted upon was not made out for any of these cases.

(e) That from the contradictory testimony of the witnesses, it appears that the purported meeting of December 31, at which forty-nine permits were supposed to have been ordered, was not held on such date; and that neither this purported meeting nor those purported to be held on January 3 or January 5 were formally held at any time. It further appears from the testimony of Examiner Silver that the minutes of these meetings are not the records of actual meetings, but that instead, they are formal statements prepared prior or subsequent to the dates they represent.

Upon the basis of the forgoing findings of fact, your committee recommends:

1. That official board meetings of the Public Service Commission, hereafter, be actual meetings.
2. That complete minute records of all the proceedings of any meeting held by the board be made.
3. That all permits ordered subsequent to November 1, 1934, to January 7, 1935, appear of doubtful validity, and upon application from any interested party for a review of such, should be set aside and given reconsideration by the commission.

Respectfully submitted,

EMMONS, Chairman.
O'BYRNE,
FOOR,
ORMSBEE,
AHLGREEN.

It was moved by Emmons, duly seconded and carried, that the report be accepted, filed and that the committee be discharged.

The following conference committees were appointed by the Speaker:

Senate Amendments to Substitute House Bill No. 204—Stevens, Sherman and Egan.

Senate Amendments to House Bill No. 233—Rolph, Fowler and Byrne.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 63, 54, 201, 331, 346, 390, 413, Substitute for Substitute House Bill No. 36, do hereby report that said bills, together with copies thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 11:30 o'clock A. M., delivered to the Governor for his approval.

MONAHAN, Chairman.

Without objection, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

The Speaker,
House of Representatives,
Helena, Montana.

I have the honor to advise that I have this day approved the following House measures:

H. B. No. 171—To prohibit bag limit prizes for game or fish.

H. B. No. 236—Providing for enforcement of the laws governing grading of hay in this state.

H. B. No. 237—Relating to the sale of hay.

H. B. No. 241—Appropriation for claim of estate of Frank M. Heinrich, deceased, for excess inheritance tax payment.

H. B. No. 291—Relating to handicapped persons trained for cosmetology by the Bureau of Vocational Rehabilitation.

H. B. No. 292—Appropriation for Highway Commission for the biennium beginning July 1, 1935.

H. B. No. 341—Relating to the notice of hearing of petition for probate of will.

H. J. R. No. 5—Relating to the Great Lakes-St. Lawrence Seaway treaty.

H. J. R. No. 6—Memorializing Congress to use granite and natural stone in construction of public buildings.

F. H. COONEY, Governor.

The Speaker,
House of Representatives,
Helena, Montana.

I am returning herewith House Bill No. 486, entitled:

"An Act to empower any city or town council to own and operate spraying equipment and perform spraying services on privately owned fruit, shade and/or ornamental trees and/or vines, shrubbery and other vegetation and foliage, and to make charges and collect payments therefor," without my approval and with my objections thereto.

If this measure were permitted to become a law the cities and towns of Montana would be authorized to go into the business of tree-spraying on an extensive scale, offering this service to private owners of fruit and shade trees, shrubbery, and so on, for a price to be fixed by the proper authorities. The municipalities would thus be brought into direct competition with private enterprise.

In some localities in the state private parties have long been engaged in this field of service and after years of work have builded good businesses. To have the municipality, after all these years, enter into direct competition with private enterprise with the possibility that the labor and investment of years may go for nothing over night, seems unfair to those who have made their investment and devoted their time and study to the protection of trees and shrubbery. It is not shown in defense of the measure that the cost of the service to the owner would be diminished by the entry of the city or town into the business.

It should be added in criticism of the present bill that inferentially, at least, authority is given to the municipality to proceed to spray any private owner's trees and shrubs without that owner's request or consent, and collect its fees therefor—something that is repugnant to the average citizen's idea of right and justice.

Feeling that private business is discriminated against, that the rights of the property owner are infringed, and that no appreciable benefit is to be derived from a change in the existing situation, I can not give approval to House Bill No. 486.

F. H. COONEY, Governor.

It was moved by Stromnes, duly seconded and carried, that the veto of the Governor be sustained.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day refused to concur in the House amendments to Substitute for Substitute Senate Bill No. 8 and Senate Bills Nos. 39 and 84, and requested that Conference Committees be appointed from the House and Senate for the consideration of said amendments; whereupon the President appointed the following Senators to act as such committees from the Senate.

For the consideration of Substitute for Substitute Senate Bill No. 8—Campbell, Page, Armstrong.

For the consideration of S. B. No. 39—Groff, Cotter, Oliver.

For the consideration of S. B. No. 84—Benjamin, Sparling, Kalberg.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day refused to concur in the House amendments to S. B. No. 207 and requested a Conference Committee to be appointed from the House and Senate to consider said amendments; whereupon the President of the Senate appointed the following Senators to act as such committee from the Senate and the House is hereby requested to appoint a similar committee: Hennessy, Sparling and Parkin.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Senate, and bills are herewith returned to the House: Sub. H. B. No. 37, by Labor Committee.

H. B. No. 380, by Committee on Public Utilities.

H. B. No. 382, by Committee on Public Utilities.

H. B. No. 384, by Committee on Public Utilities.

H. B. No. 387, by Committee on Public Utilities.

H. B. No. 388, by Committee on Public Utilities.

Respectfully, C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, at the request of the House, and on motion, appointed the following Senators as a Conference Committee to meet with a like Committee from the House for consideration of Senate amendments to House Bill No. 195:

Garrison, Benjamin, Thien.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day recommended for non-concurrence by the Senate, and bills are herewith returned to the House:

H. B. No. 173, by Haight.
H. B. No. 260, by Committee on Dairying.
H. B. No. 376, by Kathan, et al.
H. B. No. 488, by Harwood, by request.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time, and concurred in as amended by the Senate, title and history agreed to, and bills are herewith returned to the House for concurrence in the Senate amendments:

H. B. No. 147.
H. B. No. 233.
H. B. No. 283.
H. B. No. 397.
H. B. No. 419.
H. B. No. 449.
H. B. No. 474.
H. B. No. 478.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the reports of the Joint Conference Committee on House Bills Nos. 350 and Substitute for Substitute 204 were this day, on roll call, adopted.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Senate, and bills are herewith returned to the House:

H. B. No. 2.
H. B. No. 84.
H. B. No. 170.
H. B. No. 218.
H. J. M. No. 13.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 394, by Leavitt, was this day read third time and concurred in, title and history agreed to, and bill is herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that further messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the request of the House for the return of S. B. No. 26 to the House is hereby granted, and bill is herewith returned.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day gave notice that he was about to sign, and did sign, in open session:

Senate Bills Nos. 87, 170, 55, 218, 73, 89, 96, 58, 90, 139, 142, 212, 148 and Sub. 18.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 413, by Parker, was this day read third time and concurred in, title and history agreed to, and bill is herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended by the Senate, title and history agreed to, and bills are herewith returned to the House for concurrence in the Senate amendments:

H. B. No. 14, by Holding and Mulholland.

H. B. No. 289, by Leavitt.

H. B. No. 303, by Revenue and Taxation.

H. B. No. 364, by Ormsbee.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senator Keeley this day gave notice that he would on tomorrow or some subsequent day move to take Substitute House Bill No. 79 from the table.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Governor this day advised that he had approved Senate Bills Nos. 50, 55, 95, 111, 129, 167, 174 and Sub. 102.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the request of the House for the return of S. B. No. 57 was this day, on motion, granted, and bill is herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

The Speaker appointed Brennan, Byrne and Busch as Conference Committee on House Amendments to Senate Bill No. 39.

MOTIONS AND RESOLUTIONS

It was moved by Moss, duly seconded and carried, that House Bill No. 147 be taken from the Committee on Education and placed on General Orders.

THIRD READING OF HOUSE BILLS

Senate Amendments to House Bill No. 303, having been read three several times, history and title agreed to, were concurred in by the following vote:

Ayes: Acher, Anderson, Ballard, Bertsche, Brennan, Burris, Busch, Buttelman, Byrne, Chapman, Conner, Connors, Coultas, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray (Dawson), Haight, Hall, Hamilton, Heavlin, Hedden, Holding, Johnson, Kathan, Kelly, Kuhl, Lasby, Leary, Lemmer, Liggett, Lippard, Lott, Lovell, Manning, Master-son, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Neary, Nutting, O'Brien, O'Connor, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Stevens, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 72.

Noes: Southmayd. Total 1.

Absent and not voting: Ahlgreen, Balgord, Boone, Chamberlain, Cusick, Fowler, Groene (Fergus), Harlen, Harwood, Haugan, Hinerman, Joffray, Kruse, Leavitt, Logan, McCausland, McLaughlin, Metlen, Minette, Moss, Mulholland, Mundy, Nelson, O'Byrne, Ormsbee, Padbury, Peterson (Valley), Ritch, Stromnes. Total 29.

The Speaker: Seventy-two have voted "aye"; one has voted "no"; Senate Amendments to House Bill No. 303 have been concurred in by the House.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

CONSIDERATION OF GENERAL ORDERS

Busch of Fallon in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That Senate Amendments to House Bill No. 474 be not concurred in and the Conference Committee be appointed and a like committee requested from the Senate.

That Senate Amendments to House Bill No. 289 be concurred in.

That House Bill No. 507 do pass.

That House Bill No. 508 do pass.

That Senate Amendments to House Bill No. 449 be not concurred in and a Conference Committee be appointed and a like committee be requested from the Senate.

That Senate Amendments to House Bill No. 419 be not concurred in and a Conference Committee be appointed and a like committee be requested from the Senate.

That Senate Amendments to House Bill No. 283 be concurred in.

That Senate Amendments to House Bill No. 147 be not concurred in and a Conference Committee be appointed and a like committee be requested from the Senate.

That Senate Substitute for Senate Substitute for House Bill No. 3 be not concurred in and a Conference Committee be appointed and a like committee be requested from the Senate.

BUSCH, Chairman.

On motion of Busch, report adopted.

RESOLUTION

Mr. Speaker: We, your Special Committee on Resolutions, respectfully beg leave to report the following resolution:

WHEREAS, Almighty God in His infinite wisdom has seen fit to remove from our midst the Hon. Verne D. Caldwell, Representative from Yellowstone County; and

WHEREAS, the Hon. Verne D. Caldwell was a valued member of this Assembly and his honesty of purpose, integrity of character, and rare judgment have been of great aid to the deliberations of this Assembly, and in his death the State of Montana has lost a most valued citizen;

NOW, THEREFORE, BE IT RESOLVED, that the House of Representatives of the State of Montana in session assembled, do hereby extend to his surviving widow and the members of his family our sincere sympathy and express our sorrow and regret at his untimely passing; and

BE IT FURTHER RESOLVED, that copies of this resolution be recorded in the Journal of the House and conveyed to the surviving widow and members of the family of the deceased.

Introduced by:

HARWOOD,
HEDDEN,
NUTTING,
FOWLER,
LEAVITT.

On motion of Harwood, resolution adopted.

The following Conference Committees were appointed by the Speaker: House Amendments to Substitute for Substitute Senate Bill No. 8: Haight, Rolph, Fowler.

House Amendments to Senate Bill No. 84:

Masterson, Byrne, Ecton.

House Amendments to Senate Bill No. 207:

Spiegel, Burris, Parker.

It was moved by Byrne, duly seconded and carried, that House Bills Nos. 507 and 508 be considered properly engrossed and placed on Third Reading.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, history and title agreed to, all appropriation measures having been read at length, were disposed of as follows:

House Bill No. 507, introduced by Ahlgreen, Sexton, Hamilton, Smith and Masterson, was passed by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Ballard, Boone, Brennan, Burris, Busch, Chamberlain, Chapman, Conner, Connors, Coultas, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gray, Hamilton, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kruse, Kuhl, Lasby Lemmer, Lott, Lovell, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, O'Brien, O'Byrne, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stromnes, Watson, Whaley, White (Hill), York, Mr. Speaker. Total 71.

Noes: Gordon, Kelly, Lippard, McCausland, O'Connor, Stimatz, Worden. Total 7.

Absent and not voting: Balgord, Bertsche, Buttelman, Byrne, Cusick, Doe, Fowler, Groene (Fergus), Haight, Harlen, Joffray, Leary, Leavitt, Liggett, Logan, Minette, Nutting, Ormsbee, Rolph, Stevens, Toomey, White (Judith Basin). Total 22.

The following passed their vote: Green (Dawson), Hall. Total 2.

The Speaker: Seventy-one have voted "aye"; seven have voted "no", House Bill No. 507 has passed the House.

House Bill No. 508, introduced by Ahlgreen, Sexton, Hamilton, Smith and Masterson, was passed by the following vote:

Ayes: Ahlgreen, Anderson, Bertsche, Brennan, Burris, Busch, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Doe, Ecton, Egan, Emmons, Ewing, Foor, Fowler, Goodwin, Gray, Hamilton, Harlen, Harwood, Haugan, Hedden, Holding, Hinerman, Johnson, Kathan, Kuhl, Lasby, Leavitt, Liggett, Lott, Lovell, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Neary, Nelson, Nutting, O'Brien, O'Byrne, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stimatz, Stromnes, Watson, Whaley, White (Hill), York, Mr. Speaker. Total 72.

Noes: Gordon, Green (Dawson), Kelly, Lemmer, Lippard, McCausland, O'Connor. Total 7.

Absent and not voting: Acher, Balgord, Ballard, Boone, Buttelman, Cusick, Emmett, Groene (Fergus), Haight, Heavlin, Joffray, Kruse, Leary, Logan, Metlen, Mundy, Ormsbee, Peterson (Valley), Stevens, Toomey, White (Judith Basin), Worden. Total 22.

The following passed their vote: Hall. Total 1.

The Speaker: Seventy-two have voted "aye"; twenty-two have voted "no"; House Bill No. 508 has passed the House.

THIRD READING OF SENATE BILLS

Senate Bill No. 160, introduced by Committee on Oil and Leases, having been read three several times, history and title agreed to, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Buttelman, Byrne, Chamberlain, Chapman, Conner, Coultas, Doe, Ecton, Egan, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Hinerman, Kathan, Lasby, Leavitt, Lemmer, Logan, Lott, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Parker, Peterson (Gallatin), Quigley, Ritch, Rolph, Ryan, Sexton, Sherman, Southmayd, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), Worden. Total 66.

Noes: Brennan, Busch, Emmons, Fowler, Holding, Johnson, Kelly, Lippard, Lovell, Nelson, Padbury, Petersen (Sheridan), Scofield, Smith, York, Mr. Speaker. Total 16.

Absent and not voting: Ballard, Boone, Burris, Connors, Cusick, Emmett, Groene (Fergus), Haight, Joffray, Kruse, Kuhl, Leary, Liggett, McCausland, Manning, Moss, Ormsbee, Peterson (Valley), Spiegel, White (Hill). Total 20.

The Speaker: Sixty-six have voted "aye"; sixteen have voted "no"; Senate Bill No. 160 has passed the House.

The Speaker appointed Rolph, Moss and Haight as conference committee on Senate Amendments to House Bill No. 147.

It was moved by Byrne, duly seconded and carried, that the House recess until 8:15 o'clock P. M.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day, on motion and at the request of the House, appointed the following Conference Committees to act with like committees from the House:

For consideration of Senate amendments to House Bills Nos. 397 and 478: Armstrong, Kelsey and Holton.

For consideration of Senate amendments to H. B. No. 14: Meyer, Murphy and Oliver.

For consideration of Senate amendments to H. B. No. 364: Pauline, Cooper and Page.

For consideration of Senate amendments to H. B. No. 233: Simmons, Holt and Thien.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in the House amendments to certain Senate bills and requested Conference Committees be appointed from the House and Senate for the consideration of said amendments;

whereupon the President of the Senate appointed the following committees, and the House is hereby requested to appoint like committees to meet with the Senate committees:

For the consideration of House amendments to Sub. S. B. No. 22: Garrison, Carroll and Parkin.

For the consideration of House amendments to S. B. No. 213: Kelsey, Hollenback and Anderson.

For the consideration of House amendments to S. B. No. 153: Benjamin, Plumer and Angvick.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the request of the House for another Conference Committee to consider Senate amendments to House Bill No. 204 was this day, on motion, granted, and the President, thereupon named the following Senators as such committee:

Cooper, Coburn, O'Day.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

The following Conference Committees were appointed by the Speaker:

Senate Amendments to House Bill No. 449:

Mulholland, York, Lott.

Senate Amendments to House Bill No. 419:

Minette, Haight, Kruse.

Senate Amendments to House Bill No. 474:

Burris, Masterson, Miller (Big Horn).

House Amendments to Substitute Senate Bill No. 22:

O'Byrne, Hinerman, Chamberlain.

House Amendments to Senate Bill No. 213:

Emmett, Gordon, Egan.

Senate Substitute for Senate Substitute for House Bill No. 3:

Harlen, Groene of Fergus, Leavitt.

House Amendments to Senate Bill No. 153:

Harlen, Southmayd, Lasby.

MOTIONS AND RESOLUTIONS

The following resolution was read:

RESOLUTION INTRODUCED BY TOOMEY

Be it resolved by the House of Representatives of the Twenty-fourth Legislative Assembly of the State of Montana:

That the Speaker of the House, be and he is hereby authorized and directed to appoint a committee of five (5) members of this House to propose ways and means for facilitating the business of the House in the public interest, and among other things specifically to study and formulate recommendations respecting:

(1) The improvement of the ventilation of the Hall of the House of Representatives, its lobbies and committee rooms.

(2) Provisions for insuring that each member shall have placed on his desk for his use during the session, copies of the Revised Codes and all Session Laws necessary to present the complete body of existing laws up to the time of such session.

(3) The installation of a system of voting by elective recording such as is in use in Iowa, Minnesota, Nebraska, and other states, in order to save days of time on rolls, calls, and divisions, etc., cost of same, etc.

(4) The installation of a neat and proper system of directorys as to committee rooms at conspicuous points in the capitol building, and the use of neat, permanent removable signs, for committee room doors, new carpets and improvement of wash room conditions.

(5) The study of methods designed to eliminate conflicts, as far as possible, in committee appointments and work.

(6) Provisions for central and convenient quarters for law clerks and assistants and proper correlation of their work.

(7) Proposals for amendment of the rules in cases where such amendments may be required in connection with the changes proposed by the committee.

(8) The installation of a system of lights and bells to be operated from the rostrum to facilitate notice as to actual sessions, warning bells, etc.

(9) The draft of rules specifically dealing with the subject of lobbying and the exclusion from the floor of the House of non-members, during actual sessions.

(10) Formulation of proper methods for handling the matter of employment, elimination of the present deplorable methods and conditions, and the perfection of some fair system of equal opportunity enabling competent employees to be selected in advance of the session, subject at all times to the continuing power of the House over such employees.

(11) And such other subjects reasonably connected with the foregoing as the Speaker may suggest to said committee of his own initiative and on further suggestion from the chief clerk and sergeant-at-arms.

Such committee shall prepare an informative and comprehensive report in writing, and transmit the same, through the Speaker, to the 25th Legislative Assembly for its consideration and appropriate action thereon, said assembly being the 25th in the history of our state.

It was moved by Toomey, duly seconded, that the resolution be adopted.

On substitute motion, it was moved by Burris, duly seconded and carried that the resolution be amended as follows: Amend by inserting a new section numbered No. 10 and No. 11. (The amendment has been inserted in the above Resolution.)

Whereupon, resolution was adopted as amended.

The following resolution, on motion of Smith, was adopted:

RESOLUTION INTRODUCED BY SMITH AND O'BYRNE

A House Resolution requesting the Honorable Public Works Administration Advisory Board, Department of the Interior, Washington, D. C. to investigate the violations of the National Recovery Act relative to the construction of the Helena high school.

Whereas, under the Public Works Administration, Project No. 2603 for the construction of a high school building in the City of Helena, Montana, has heretofore been approved and the contract let for said construction under the Public Works Administration, and

Whereas, it has come to the attention of this Assembly through the Helena Trades and Labor Assembly, that the contractors of the West Coast Construction Company, constructing said building are violating all National Recovery Administration Code provisions, both as to, time worked, scales of wages, manner of requisitioning employees, etc., and

Whereas, We deem an investigation of said situation expedient,

Therefore; be it resolved by the House of Representatives of the State of Montana;

That the Public Works Administration Advisory Board, Department of the Interior, Washington, D. C., be requested and urged to take the necessary and proper steps in making a thorough investigation and correction of said violation as expeditiously as possible.

Be It Further Resolved; that a certified copy of this Resolution be forwarded immediately to the Congress of the United States and to the Montana delegation in said Congress.

THIRD READING OF SENATE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 68, introduced by Committee on Public Lands, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Conner, Connors, Coultas, Doe, Ecton, Egan, Ewing, Foor, Goodwin, Gray, Green (Dawson), Haight, Hall, Hamilton, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Lippard, Logan, Lott, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Byrne, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sherman, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 81.

Noes: O'Brien, Smith. Total 2.

Absent and not voting: Balgord, Byrne, Chapman, Cusick, Emmett, Emmons, Fowler, Gordon, Groene (Fergus), Harlen, Joffray, Liggett, Lovell, McCausland, Minette, Mitchell, O'Connor, Ormsbee, Sexton. Total 19.

The Speaker: Eighty-one have voted "aye"; two have voted "no"; Senate Bill No. 68 has been concurred in by the House.

Senate Bill No. 132, introduced by Lamp, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Connors, Cusick, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kuhl, Lasby, Lemmer, Lippard, Logan, Lott, McCausland, McLaughlin, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell,

Monahan, Moss, Mulholland, Neary, Nutting, O'Brien, O'Connor, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Stevens, Stimatz, Stromnes, Whaley, White (Judith Basin), York, Mr. Speaker. Total 69.

Noes: Ecton, Kelly, Mundy, Watson, White (Hill), Worden. Total 6.

Absent and not voting: Bertsche, Byrne, Chapman, Conner, Coultas, Doe, Egan, Emmett, Emmons, Fowler, Groene (Fergus), Joffray, Kruse, Leary, Leavitt, Liggett, Lovell, Manning, Metlen, Minette, Nelson, O'Byrne, Ormsbee, Padbury, Quigley, Southmayd, Toomey. Total 27.

The Speaker: Sixty-nine have voted "aye"; six have voted "no"; Senate Bill No. 132 has been concurred in by the House.

Senate Bill No. 91, introduced by Holt, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Doe, Ecton, Emmons, Foor, Goodwin, Green (Dawson), Haight, Hall, Hamilton, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kuhl, Lasby, Leary, Lemmer, Lippard, Logan, Lott, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Connor, Padbury, Parker, Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Stevens, Stimatz, Toomey, Watson, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 76.

Noes: None.

Absent and not voting: Byrne, Connors, Coultas, Cusick, Egan, Emmett, Ewing, Fowler, Gordon, Gray, Groene (Fergus), Harlen, Joffray, Kelly, Kruse, Leavitt, Liggett, Lovell, O'Brien, O'Byrne, Ormsbee, Petersen (Sheridan), Peterson (Gallatin), Southmayd, Stromnes, Whaley. Total 26.

The Speaker: Seventy-six have voted "aye"; none have voted "no"; Senate Bill No. 91 has been concurred in by the House.

Senate Bill No. 104, introduced by Committee on Public Lands, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Doe, Ecton, Egan, Emmons, Foor, Goodwin, Gordon, Haight, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kuhl, Lasby, Leary, Leavitt, Lemmer, Lippard, Logan, McLaughlin, Manning, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Neary, Nutting, O'Brien, O'Byrne, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Sexton, Sherman, Spiegel, Stevens, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), York. Total 69.

Noes: Gray, Green (Dawson), Hall, Kathan, Nelson, O'Connor, Rolph, Scofield, Smith, Stimatz, Worden, Mr. Speaker. Total 12.

Absent and not voting: Byrne, Coultas, Cusick, Emmett, Ewing, Fowler, Groene (Fergus), Joffray, Kelly, Kruse, Liggett, Lott, Lovell, McCausland, Masterson, Metlen, Minette, Mundy, Ormsbee, Southmayd, White (Hill). Total 21.

The Speaker: Sixty-nine have voted "aye"; twelve have voted "no"; Senate Bill No. 104 has been concurred in by the House.

Substitute Senate Bill No. 79, introduced by Committee on Public Lands, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Buttelman, Chamberlain, Connors, Coultas, Doe, Ecton, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Green (Dawson), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Johnson, Kathan, Kelly, Kuhl, Lasby, Leary, Leavitt, Lemmer, Lippard, Logan, Lott, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mundy, Neary, O'Brien, O'Byrne, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 82.

Noes: Nutting. Total 1.

Absent and not voting: Byrne, Chapman, Conner, Cusick, Egan, Fowler, Gray, Groene (Fergus), Hinerman, Joffray, Kruse, Liggett, Lovell, McCausland, Manning, Mulholland, Nelson, Ormsbee, Toomey. Total 19.

The Speaker: Eighty-two have voted "aye"; one has voted "no"; Substitute Senate Bill No. 79 has been concurred in by the House.

Senate Bill No. 169, introduced by Kilduff and Holt, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Burris, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Haight, Hall, Hamilton, Harlen, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kruse, Kuhl, Lasby, Leavitt, Lemmer, Lippard, Logan, Lott, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stimatz, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 82.

Noes: Boone, Gray, Green (Dawson), Nelson, Worden. Total 5.

Absent and not voting: Busch, Byrne, Cusick, Fowler, Groene (Fergus), Harwood, Joffray, Kelly, Leary, Liggett, Lovell, Minette, Ormsbee, Stevens, Stromnes. Total 15.

The Speaker: Eighty-two have voted "aye"; five have voted "no"; Senate Bill No. 169 has been concurred in by the House.

Senate Bill No. 217, introduced by Cotter, Hollenback and Garrison, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Buttelman, Chamberlain, Connors, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harlon, Harwood, Haugan, Heavlin, Holding, Hinerman, Johnson, Kathan, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, McCausland, McLaughlin, Manning, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Neary, Nelson, O'Byrne, O'Connor, Parker, Petersen (Sheridan), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stimatz, Whaley, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 72.

Noes: Busch, Doe, Hedden, Mundy, Nutting, O'Brien, Padbury, Peterson (Gallatin), Smith, Stromnes, Toomey, Watson, Worden. Total 13.

Absent and not voting: Byrne, Chapman, Conner, Coultas, Cusick, Ecton, Egan, Emmett, Fowler, Groene (Fergus), Joffray, Kelly, Kruse, Lovell, Masterson, Ormsbee, Stevens. Total 17.

The Speaker: Seventy-two have voted "aye"; thirteen have voted "no"; Senate Bill No. 217 has been concurred in by the House.

Senate Bill No. 146, introduced by Delaney, was concurred in by the following vote:

Ayes: Ahlgreen, Balgord, Ballard, Bertsche, Brennan, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Doe, Ecton, Emmett, Emmons, Foor, Goodwin, Gordon, Gray, Green (Dawson), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McLaughlin, Manning, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Scofield, Sexton, Sherman, Smith, Spiegel, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York. Total 79.

Noes: Anderson, Ewing, Logan, O'Connor, Southmayd, Mr. Speaker. Total 6.

Absent and not voting: Acher, Boone, Burris, Byrne, Cusick, Egan, Fowler, Groene (Fergus), Joffray, Kruse, Kuhl, McCausland, Masterson, Metlen, Ormsbee, Ryan, Stevens. Total 17.

The Speaker: Seventy-nine have voted "aye"; six have voted "no"; Senate Bill No. 146 has been concurred in by the House.

MOTIONS AND RESOLUTIONS

It was moved by Burris, duly seconded, that Senate Amendments to House Bill No. 289 be laid on the table.

A call of the House was demanded by the required number.

On motion of Burris, further call of the House was dispensed with.

A roll call was ordered and motion was lost by the following vote:

Ayes: Balgord, Burris, Chapman, Conner, Connors, Coultas, Emmett, Emmons, Fowler, Gordon, Gray, Green (Dawson), Haight, Hedden, Hinerman, Johnson, Kathan, Kuhl, Liggett, Lippard, Lovell, McLaughlin, Manning, Mitchell, O'Brien, Parker, Petersen (Sheridan), Peterson (Valley), Rolph, Ryan, Smith, Spiegel, White (Judith Basin), York, Mr. Speaker. Total 35.

Noes: Acher, Ahlgreen, Anderson, Ballard, Bertsche, Boone, Brennan, Busch, Buttelman, Byrne, Chamberlain, Doe, Ecton, Egan, Ewing, Foor, Goodwin, Hall, Harlen, Harwood, Haugan, Heavlin, Holding, Kelly, Kruse, Lasby, Leary, Leavitt, Lemmer, Logan, Lott, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Byrne, O'Connor, Padbury, Peterson (Gallatin), Quigley, Ritch, Scofield, Sexton, Sherman, Southmayd, Stevens, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Hill), Worden. Total 61.

Absent and not voting: Cusick, Groene (Fergus), Hamilton, Joffray, McCausland, Ormsbee. Total 6.

The Speaker: Thirty-five have voted "aye"; sixty-one have voted "no"; the motion is lost.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

Senate Amendments to House Bill No. 289 were concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Ballard, Bertsche, Boone, Brennan, Busch, Buttelman, Chamberlain, Coultas, Doe, Ecton, Egan, Ewing, Foor, Goodwin, Hall, Harlen, Harwood, Haugan, Heavlin, Holding, Kelly, Kruse, Lasby, Leary, Leavitt, Lemmer, Logan, Lott, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Byrne, O'Connor, Padbury, Peterson (Gallatin), Quigley, Ritch, Scofield, Sexton, Sherman, Southmayd, Stevens, Strommes, Toomey, Watson, Whaley, Worden. Total 59.

Noes: Balgord, Burris, Chapman, Conner, Connors, Emmett, Emmons, Gordon, Gray, Green (Dawson), Haight, Hamilton, Hedden, Hinerman, Johnson, Kathan, Kuhl, Liggett, Lovell, McLaughlin, Mitchell, O'Brien, Parker, Petersen (Sheridan), Peterson (Valley), Rolph, Ryan, Smith, Spiegel, Stimatz, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 34.

Absent and not voting: Byrne, Cusick, Fowler, Groene (Fergus), Joffray, Lippard, McCausland, Manning, Ormsbee. Total 9.

The Speaker: Fifty-nine have voted "aye"; thirty-four have voted "no"; Senate Amendments to House Bill No. 289 have been concurred in.

Senate Amendments to House Bill No. 283 were concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chamberlain, Chapman, Connors, Coultas, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gray, Green (Dawson), Haight, Hall, Hamilton, Harlen, Heavlin, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McLaughlin, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Mundy, Nelson, Nutting, O'Byrne, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Stevens, Stimatz, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 79.

Noes: Hedden, Toomey. Total 2.

Absent and not voting: Ballard, Bertsche, Conner, Cusick, Gordon, Groene (Fergus), Harwood, Haugan, Joffray, Logan, McCausland, Manning, Metlen, Minette, Neary, O'Brien, Ormsbee, Ritch, Rolph, Southmayd, Strommes. Total 21.

The Speaker: Seventy-nine have voted "aye"; two have voted "no"; Senate Amendments to House Bill No. 283 have been concurred in.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Conference Committee appointed by the Speaker to act with a like committee appointed by the President Pro Tem of the Senate to consider House amendments made to Senate Bill No. 39 report as follows:

The Senate concedes to the Banks and Banking Committee's amendment to the title.

The House concedes to change the Committee of the Whole amendment of Section 1, in line 42, to read as follows:

"Amend Section 1, line 42, after the words "Attorney's fees" by inserting a comma and the words "such attorney's fees to be allowed for not more than ten per cent (10%) of the amount collected provided that the ten per cent (10%) allowed for attorney's fees shall not apply to collections which are made outside of the State of Montana."

The Senate concedes to the Banks and Banking Committee of the House amendment to Section 1, which reads as follows:

Amend Section 1 by adding after the word "Corporations" in line 54 the following: "The Superintendent of Banks shall within ninety (90) days after taking charge of an insolvent bank, cause to be filed with the District Court having jurisdiction, a complete inventory of all of the property and assets of such insolvent bank, such as furniture, fixtures, real estate, mortgages, bonds, notes, secured and unsecured, and thereafter he shall every six months or oftener, if so required by the court, cause to be made and filed with the court a report showing the conditions of the liquidation of such bank, the assets that have been liquidated and collected and the amounts and manner of payments which may have been made to creditors and the manner in which claims have been handled and also showing the assets on hand. The report to also contain such other information as the court may deem proper and request or require, so that the court and the public may be apprized of the condition of such bank and the manner in which it is being liquidated with respect to the collection and sale of assets belonging to such bank and the manner in which claims are being paid. Such report and account shall be set for hearing upon such notice as the court may require and if found to be correct shall be approved by the court."

The Senate concedes to the Banks and Banking Committee of the House amendment which reads as follows:

Change Section 2 to Section 3 and insert in lieu thereof Section 2 which states the following:

"Section 2. All Acts and parts of Acts in conflict herewith are hereby repealed."

BRENNAN, Chairman,
BYRNE,
BUSCH,

For the House.

COTTER,
GROFF,
OLIVER,

For the Senate.

STATEMENT

Conference Committee have agreed that amendment to Section 1 be amended by adding after (10%) the words:

"Provided, that the ten per cent (10%) allowed for attorney's fees shall not apply to collections which are made outside of the State of Montana."

BRENNAN,
BUSCH,
BYRNE.

On motion of Brennan, duly seconded, the report on House Amendments to Senate Bill No. 39 was adopted by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Boone, Brennan, Busch, Buttelman, Byrne, Chamberlain, Chapman, Conner, Coultas, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Goodwin, Gordon, Green (Dawson), Haight, Hall, Harlen, Harwood, Haugan, Holding, Hinerman, Johnson, Kathan, Kelly, Kuhl, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Moss, Mulholland, Nelson, Nutting, O'Byrne, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sherman, Southmayd, Spiegel, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 75.

Noes: Stimatz. Total 1.

Absent and not voting: Ballard, Burris, Connors, Cusick, Foor, Fowler, Gray, Groene (Fergus), Hamilton, Heavlin, Hedden, Joffray, Kruse, Lasby, Leary, Lovell, Minette, Monahan, Mundy, Neary, O'Brien, Ormsbee, Ritch, Sexton, Smith, Stevens. Total 26.

The Speaker: Seventy-five have voted "aye," one has voted "no"; the report of the Conference Committee has been adopted.

Mr. Speaker: We, your Conference Committee, having had under consideration House Bill No. 14 as amended and the amendment thereto, hereby concur in said amendment of the Senate.

HINERMAN,
O'BYRNE,
CHAMBEFLAIN,
For the House.
MEYER,
MURPHY,
OLIVER,
For the Senate.

On motion of Hinerman, duly seconded, the report on Senate amendments to House Bill No. 14 was adopted by the following vote; same being a constitutional amendment passed by a two-thirds vote of the entire membership of the House as required by Section 9, of Article 19 of the State Constitution, and in compliance with the provisions thereof, the bill is set forth in its entirety as follows:

HOUSE BILL NO. 14

Introduced by Holding and Mulholland

A Bill for an Act entitled: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section Four (4) of Article Eighteen (18) of the Constitution of the State of Montana, relating to the hours of labor in all industries, occupations, undertakings and employments except farming."
Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. That Section Four (4) of Article Eighteen (18) of the Constitution of the State of Montana be amended as hereinafter provided, and that the question of such amendment be submitted to the qualified electors of the State of Montana at the general election to be held on November 3, 1936.

Section 2. That Section Four (4) of Article XVIII of the constitution be, and the same is hereby amended to read as follows:

"Section 4. A period of eight hours shall constitute a day's work in all industries, occupations, undertakings and employments, except farming

and stockraising, provided, however, that the Legislative Assembly may by law reduce the number of hours constituting a day's work whenever in its opinion a reduction will better promote the general welfare, but it shall have no authority to increase the number of hours constituting a day's work beyond that herein provided,"

Section 3. Separate official ballots shall be provided at said general election, which shall have printed thereon all of said Section 4 of Article XVIII of the constitution, as amended by this Act, and below the same shall be printed the words:

☐

For the above written amendment to the constitution.

☐

Against the above written amendment to the constitution.

Each elector shall designate his preference by marking an "X" in the square before the proposition for which such elector desired to vote.

Section 4. The vote cast for and against the amendment above proposed shall be canvassed, determined and declared as provided by the General Election Laws of the State of Montana.

Section 5. All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 6. This Act shall take effect and be in full force from and after its passage and approval.

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Fowler, Goodwin, Gordon, Green (Dawson), Haight, Hall, Harlen, Haugan, Heavlin, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Moss, Mulholland, Neary, Nutting, O'Byrne, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Stimatz, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 84.

Noes: None.

Absent and not voting: Busch, Cusick, Foor, Gray, Groene (Fergus), Hamilton, Harwood, Hedden, Joffray, Logan, McCausland, Monahan, Mundy, Nelson, O'Brien, Ormsbee, Southmayd, Stevens. Total 18.

The Speaker: Eighty-four have voted "aye," none have voted "no"; House Bill No. 14 has passed the House by a two-thirds majority.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Joint Conference Committee report on H. B. No. 14 was this day, adopted by the Senate.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Joint Conference Committee report on Senate Bill No. 39 was this day, on roll call, adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day, on motion, and at the request of the House, appointed the following Senators to act as Conference Committee on H. B. No. 147: Plank, Lamp, Murphy.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Brennan, duly seconded that the House reconsider its action on Senate Bill No. 26. Motion was referred to the Committee on Rules, Joint Rules and Order of Business.

It was moved by Byrne, duly seconded and carried, that the House adjourn until 9:30 o'clock A. M., Thursday, March 7, 1935.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

SIXTIETH DAY

House of Representatives,
Helena, Montana, March 7, 1935.

House convened, pursuant to adjournment, at 9:30 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

A quorum for the transaction of business was present. The following were excused: Joffray and Ormsbee.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the fifty-ninth legislative day, find the same to be correct.

QUIGLEY, Chairman.

Without objection, report adopted.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Joint Conference Committee, having had under consideration House amendments to Senate Bill No. 213, entitled: "An Act making the State Treasurer custodian for any moneys which the Treasurer of the United States under the Tylor Grazing Act, approved June 28, 1934, (Public No. 482) may pay to State of Montana, and making it the State Treasurer's duty to apportion and allocate these moneys to the County Treasurer to allocate and to pay to the grazing districts from which they were originally collected, to be used for construction of range

improvements and maintenance," respectfully report as follows: That Senate concur in House amendments to Senate Bill No. 213.

EGAN,
EMMETT,
GORDON,

For the House.

KELSEY,
ANDERSON,
HOLLENBACK,

For the Senate.

On motion of Egan, duly seconded, Conference Committee report on House amendments to Senate Bill No. 213 were adopted by the following vote:

Ayes: Acher, Anderson, Balgord, Bertsche, Brennan, Busch, Buttelman, Byrne, Conner, Connors, Cusick, Egan, Ewing, Foor, Fowler, Goodwin, Gordon, Green (Dawson), Haight, Hall, Haugan, Hedden, Holding, Johnson, Kathan, Kruse, Kuhl, Lasby, Leary, Lemmer, Liggett, Logan, Lott, Miller (Big Horn), Minette, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, White (Judith Basin), White (Hill), Mr. Speaker. Total 60.

Noes: Stimatz.

Absent and not voting: Ahlgreen, Ballard, Boone, Burris, Chamberlain, Chapman, Coultas, Doe, Ecton, Emmett, Emmons, Gray, Groene (Fergus), Hamilton, Harlen, Harwood, Heavlin, Hinerman, Joffray, Kelly, Leavitt, Lippard, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Mitchell, Moss, O'Byrne, Ormsbee, Ritch, Rolph, Stromnes, Toomey, Watson, Whaley, Worden, York. Total 41.

The Speaker: Sixty have voted "aye," one has voted "no"; Conference Committee report on House amendments to Senate Bill No. 213 has been adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 303, 350 and 394 and Substitute House Bill No. 195.

MONAHAN, Chairman.

Without objection, report adopted.

I have read Substitute House Bill No. 195, as reported from the Enrolling Committee and certify same to be correct.

STEVENS.

I have read House Bill No. 303, as reported from the Enrolling Committee and certify same to be correct.

ROLPH.

I have read House Bill No. 350, as reported from the Enrolling Committee and certify same to be correct.

JOFFRAY.

I have read House Bill No. 394, as reported from the Enrolling Committee and certify same to be correct.

LEAVITT.

The Speaker announced he was about to sign Substitute House Bill No. 195, whereupon, the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 303, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 350, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 394, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, adopted the report of the Joint Conference Committee on Substitute House Bill No. 195.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Substitute House Bill No. 28, by Committee on Labor, was this day recommended for non-concurrence by the Senate Committee on Finance and Claims, report adopted, and bill is herewith returned to the House.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day adopted the Joint Conference Committee report on House amendments to S. B. No. 213.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence in the Senate, and bills are herewith returned to the House H. B. No. 443, by Minette, Byrne and Nelson. H. J. R. No. 7, by Peterson of Valley, Hinerman, York, Petersen of Sheridan and Chapman.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

CONSIDERATION OF GENERAL ORDERS

Ballard of Wibaux, in the Chair. Committee arose.
House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That Senate Joint Resolution No. 8 be concurred in.

BALLARD, Chairman.

On motion of Ballard, report adopted.

THIRD READING OF SENATE BILLS

Senate Joint Resolution No. 8, introduced by Holt, having been read three several times, history and title agreed to, was concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Ballard, Bertsche, Boone, Brennan, Busch, Buttelman, Chapman, Conner, Connors, Doe, Egan, Emmett, Emons, Ewing, Goodwin, Gordon, Gray, Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Heavlin, Hedden, Holding, Joffray, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Leary, Lemmer, Lippard, Lott, McCausland, McLaughlin, Masterson, Miller (Roosevelt), Miller (Big Horn), Moss, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Ryan, Scofield, Sexton, Sherman, Southmayd, Spiegel, Stevens, Stromnes, Whaley, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 73.

Noes: Stimatz.

Absent and not voting: Ballard, Burris, Byrne, Chamberlain, Coultas, Cusick, Ecton, Foor, Fowler, Green (Dawson), Hinerman, Leavitt, Liggett, Logan, Lovell, Manning, Metlen, Minette, Mitchell, Monahan, Nelson, O'Byrne, Ormsbee, Ritch, Smith, Toomey, Watson, Worden. Total 28.

The Speaker: Seventy-three have voted "aye," one has voted "no"; Senate Joint Resolution No. 8 has been concurred in by the House.

It was moved by Byrne, duly seconded and carried, that the House recess until 1:30 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Conference Committee on House Bill No. 364, begs leave to report that we concur in the amendment to the title of the bill.

We also concur in the amendment of Section 1, line 2.

Amend Subdivision No. 3 of the Section 1, page 2, of the original bill by striking out in line 11, the word "two" of the amendment and inserting in lieu thereof the word "three."

Amend Subdivision 8 of Section 1, page 4, by striking out the entire amendment.

Amendment to Sections 2 and 3 be entirely stricken.

Amend Section 1, line 2, page 5, of the original bill by striking out the words "each month" and inserting in lieu thereof the following: "On or before the 5th of January, April, July and October of each year."

Amend Section 2, line 2, page 5, of the original bill by striking out the word "month" after the word "such" and inserting in lieu thereof the

word "period." And by striking out in line 2, Section 2, page 5, of the original bill, after the word "shall," the following words: "not later than the tenth day of the succeeding month."

Amend Section 3, line 9, page 5, of the original bill by striking out the word "six" and inserting in lieu thereof the word "three." It is recommended by your Conference Committee that these amendments be concurred in.

PAULINE,
ARMSTRONG,
COOPER,
For the Senate.

CHAPMAN,
SMITH,
FOOR,
For the House.

On motion of Chapman, duly seconded, Conference Committee report on House Bill No. 364 was adopted by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Brennan, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Haight, Hall, Haugan, Heavlin, Hedden, Holding, Hinerman, Kathan, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Monahan, Moss, Mundy, Neary, Nutting, O'Byrne, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Stevens, Toomey, Watson, Whaley, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 76.

Noes: Stimatz.

Absent and not voting: Boone, Burris, Busch, Fowler, Groene (Fergus), Hamilton, Harlen, Harwood, Joffray, Johnson, Kelly, Kruse, Logan, McLaughlin, Manning, Metlen, Mitchell, Mulholland, Nelson, O'Brien, Ormsbee, Peterson (Gallatin), Rolph, Southmayd, Stromnes. Total 25.

The Speaker: Seventy-six have voted "aye," one has voted "no"; Conference Committee report on House Bill No. 364 has been adopted by the House.

The following report was read.

Mr. President, and Mr. Speaker: We, your Joint Committee on Constitutional Amendments, having had under consideration the question, "What amendments shall be included upon the ballot in the forthcoming election?" find as follows:

That whereas, two of the measures formerly recommended by this committee have been duly passed by both bodies of the Legislature; but that the third measure has failed to pass.

Now therefore, your committee respectfully reports as follows:

That House Bill No. 20, authorizing the compromise of delinquent taxes, shall be the third measure to be included upon the ballot.

CARROL,
For the Senate.

MANNING,
For the House.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 303, 350, 394 and Substitute House Bill No. 195, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 1:00 o'clock P. M., delivered to the Governor for his approval.

MONAHAN, Chairman.

Without objection, report adopted.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Special Committee, appointed by authority of the resolution introduced by Fowler on the 36th legislative day, authorized to inquire into the political and lobbying activities of public utilities, other corporations and persons, beg leave to report as follows:

Your committee held three hearings at room 4 of the Placer Hotel on the nights of February 28th, March 1st and March 4th. The following witnesses were examined: W. A. Campbell, A. E. Wilkinson, D. M. Kelly, Wm. Rea, Frank Bird, Wm. Pinkney, Paul Flint, Eugene McKinnin, Jos. L. Markham, Wm. Jameson, Thos. J. Davis, Phil Palm, A. L. Hammerstrom, Willard Fraser, C. H. Johnson, John Ferry, Howard Toole, W. T. Boone, Jas. Stafford, Clifford L. Walker and Chas. Rasmussen.

Your committee recognizes that the brief time at its disposal and the absence of two key witnesses from the state, Mr. J. H. Dickey, Manager of the Butte Post, and Mr. Leon Shaw, Business Manager of the Billings Gazette, make it impossible for the committee to have covered adequately its assignment.

The probing of the witnesses examined and the disclosures their testimony reveals serves to prove not only the magnitude of the task which was assigned your committee, but the importance of the work and the necessity of the continuance of the effort of Legislatures to come, and the very great need of legislation to remedy what is, beyond any question of doubt, a primary evil in the State of Montana and a major reason why Legislatures fail to carry out the will of the people who select their personnel.

The testimony of the witnesses reveals an efficiently organized plan, participated in by some of the great corporations of the state and certain important public utilities, not only to elect to public offices candidates favorable to their interest, but to warp the purpose of legislators selected and to destroy, in a large measure, the usefulness of Montana's Legislative Assembly to the people of the State of Montana.

The testimony of the witnesses reveals the fact that headquarters are maintained in Helena in the offices of one Divid Pizer in the National Bank Building across the street from the Placer Hotel, where complete records of all legislation proposed and, apparently, the records of the legislators themselves and their attitudes on various public matters, are maintained and where the lobbyists for these corporations gather daily, while the Legislature is in session, and confer frequently during the interim.

Witnesses testified that the Anaconda Copper Mining Company and the Montana Power Company, for instance, co-operate in the matter of defeating legislation which they would consider adverse to the interests of either of these corporations and in the promotion of legislation which might be of interest to them.

Witnesses in the employ of these corporations testified that in the last campaign an organized effort was made to defeat candidate O'Connell

for the office of Railroad Commissioner; that meetings of employees were held, emissaries were selected and that they were sent into all parts of the state to interview stockholders of the Montana Power Company and employees of the Montana Power Company, setting forth reasons why candidate O'Connell should not be elected to the position of Railroad Commissioner. They testified, also, that they were adverse to the candidacy of W. B. Sands for Chief Justice of the Supreme Court, and it is obvious that, in the support of their position, the columns of a number of Montana papers were freely used toward the defeat of candidate O'Connell and that advertisements were widely published in Montana daily newspapers, calculated to bring about his defeat; that the cost of publication of these advertisements was, in many instances, charged up to operating expenses of the Montana Power Company, a public utility whose operating expenses are calculated into the rate base, and that the consumers of electricity in the state, through the rates fixed for the service of these utilities, paid thus indirectly for the political activities tending to defeat candidates who had announced themselves as avowedly in favor of a reduction of the rates charged for the services of these public utilities.

FIRST HEARING

At the first hearing, on the night of February 28th, the witnesses called refused to testify in regard to any of the lobbying activities of these corporations and used this subterfuge to refuse to answer questions which would have made the facts available for the members of the Legislature.

The passage, in the House, of a resolution broadening the powers of the committee, resulted in the witnesses answering questions in regard to their lobbying activities but the witnesses maintained an arrogant attitude and constantly refused to provide the information which your committee was requested to obtain.

An interesting feature of the various hearings is the fact that eight of the witnesses called to testify represented that they had retained as counsel one Dan M. Kelley, chief counsel for the Anaconda Copper Mining Company and counsel for the Montana Power Company, as personal attorney to represent them at the hearing. Attorney Kelley constantly objected to the questions asked the witnesses and the witnesses, upon his advice, refused to answer.

The contempt in which the Legislature is held by counsel Kelley in the guise of counsel for the eight witnesses before the committee is illustrated by his own testimony, a portion of which runs as follows:

Q. Does your activities at the Legislature consist of approaching the various members of the Senate and House on measures that you desire to put through or oppose?

A. That is the way I do. * * * I act as anybody else does in the interest of legislation they are interested in, whether they represent the Farmers' Union, or the Miners' Union, or any other organization. I have been doing it for years and I am going to continue to do it and I make no apologies for it to anybody.

Q. You would oppose legislation that would render it impossible or stop you from doing that?

A. I wouldn't necessarily oppose it. I would say that this Legislature hasn't any power to enact any legislation denying me or any other citizen the right to oppose legislation.

Q. If the Legislature did pass such a law, you would feel it was unconstitutional?

A. I would disregard it, I think.

* * * * *

In view of the brief time at the disposal of your committee in which to fulfill your mandate, it was impossible to report these witnesses for

contempt and to have them properly penalized for their action. Notwithstanding these various handicaps, some very important facts were established and many interesting details were brought out and developed, a few of which are as follows:

INTERESTING DEVELOPMENTS

A. E. Wilkinson, commonly known as Al Wilkinson, operates under the guise of an advertising man. He is in the employ of the Anaconda Copper Mining Company and travels widely over the State of Montana and particularly during the months preceding primary and general election campaigns. He refused to produce his expense accounts, on the grounds that he was traveling on company business; but although ostensibly an advertising man, he submitted no evidence of having written any advertisement appearing in Montana newspapers in any of the months preceding the primary or general election campaign, but admitted freely that he traveled to all parts of the state. He admitted that he talked politics to those with whom he came in contact, but maintained that his political discussions were of a personal nature and refused to testify as to whom he interviewed or what he said.

It appears that Mr. Wilkinson visits all sections of the state in the guise of delivering to newspapers small advertisements, and that the cost of delivering to a newspaper at a distant point a small advertisement would so far exceed any possible financial return as to be entirely out of proportion, and it is reasonable to assume that his wide travels over the State of Montana are not entirely in the interest of securing small space in many papers widely separated, but it appears to your committee that he is a political agent who goes about the state on an expense account furnished by the Anaconda Copper Mining Company and that he is probably the most active political agent of this organization.

He testified that during Legislative Sessions he spends his time in Helena and that he takes an active interest in defeating measures which would be, in his opinion, inclined to raise the taxes of the Anaconda Copper Mining Company, the Montana Power Company or the Montana Power Gas Company, one of its subsidiaries.

The attention of the House is directed to the following excerpts from the testimony of Mr. Wilkinson:

Q. You brought with you some expense accounts?

A. I did not.

Q. You received one today, * * * requesting that you bring along with you expense accounts for the months of September, October, November, December, didn't you?

A. Yes, sir.

Q. Did you bring those accounts?

A. No, sir; that was in connection with the company business and has nothing whatsoever to do with this investigation. I didn't bring them.

Q. So you just simply refused to comply with the committee's request?

A. Certainly; that is exactly it. Because I don't see anywhere on here (referring to the subpoena) that there is anything about company business. It says on the subpoena,—on that resolution it refers to political activities.

Q. You have distinguished between public business, that is the business of the House of Representatives of the State of Montana, and what you call your own private business?

A. Yes, I have.

Q. You believe that you are more competent to judge which is public business and which is private business than this committee?

A. Certainly.

* * * * *

Frank Bird is assistant general manager of the Montana Power Company. He testified that during the last campaign a complete plan was organized whereby agents of the Montana Power Company were sent to interview 10,000 stockholders of the Montana Power Company and to explain to them the inadvisability of selecting a candidate such as O'Connell for Railroad Commissioner. He further testified that the company had approximately 1,500 employees in the state and admitted that the votes among the families of the stockholders of the Montana Power Company and of the employees of the company would probably approximate more than 34,000 votes.

He testified that in lobbying activities he cooperates with the Anaconda Copper Mining Company, and it is reasonable to suppose that a large number of the employees of the Anaconda Copper Mining Company and their families may be added to the above 34,000 votes as illustrating the political possibilities of this combination. The following are excerpts from Mr. Bird's testimony:

Q. When did you determine,—and I assume you had something to do with the determination of the plan of campaign against O'Connell?

A. Yes, I did.

Q. When did you first determine to oppose O'Connell.

A. After he had made half a dozen of these speeches, I don't know exactly the time.

Q. Would that be after the primary?

A. Oh, yes; after the primary.

Q. How much do you estimate the amount to be that the Montana Power paid out as expenses or otherwise for the men who visited the stockholders throughout the State of Montana?

A. I couldn't tell you. There is no way. They did it in their off-time, spare time when they didn't have company work to do.

Q. Did you keep those amounts in a certain account?

A. No.

Q. What did you charge them to?

A. Charged them in with general operating expense of the division.

Q. The expenses of your advertising, was that charged to operating expense?

A. That goes into our general advertising expense.

* * * * *

Mr. Wm. Rea is general land and tax agent of the Anaconda Copper Mining Company. He testified that he travels over Montana a great deal of the time and that he travels on an expense account from the Anaconda Copper Mining Company, that he attends the sessions of the Legislature regularly, has done so for years, and that he cooperates with the representatives of the Montana Power Company in the defeat of legislation which they might consider inimical to their interests.

Attention is directed to the following testimony of Mr. Rea:

Q. Did you lobby for or against any measures that affected the Montana Power Company?

A. Yes, we have worked along together with the Montana Power bunch on some of their utility measures. We have gone along with them and helped them all we could.

Q. That is, you worked just the same to oppose a measure which would be detrimental or raise the taxes of the Montana Power, as you would if that bill affected in the same way the Anaconda Copper Mining Company?

A. Exactly.

Q. Who did you work with on those measures?

A. I worked with myself, Mr. Bird and Mr. Kelley, who, as I understand some one said he was counsel for the Montana Power, and I presume he has worked right along with them just the same as we did on the Anaconda Copper Mining Company.

Q. And did you keep a record in Pizer's office of the measures that affected the Montana Power?

A. We keep a record in Pizer's office of every bill, whether it affects the Montana Power or the Anaconda Copper Mining Company, or anybody else. We have a record from 1 to 530 of every bill that is introduced both in the House and Senate, in Mr. Pizer's office.

Q. In other words, the records of Pizer's office are used just as much in the interests of the Montana Power as in the interests of the Anaconda Copper Mining Company?

A. I presume so. I am not speaking for the Montana Power. I suppose they do.

* * * * *

The testimony of Mr. Pinkney reveals that he is claim agent, right-of-way man and land man for the Montana Power Company. He, likewise, travels widely over the State of Montana. Mr. Pinkney did present expense accounts covering his travels during the months previous to the primary and general election and it is interesting to note that during this period of time Mr. Pinkney visited every section of the state, including all of the large cities and many of the small ones, from Kalispell and Thompson Falls on the west to Glendive and far-away Circle in the north-east. He, likewise, maintains that his political conversations represent his own personal ideas, but admits that during the last campaign he did what he could on his own hook, so to speak, to defeat Candidate O'Connell for Railroad and Public Service Commissioner.

THE MONTANA MINING ASSOCIATION

An interesting situation developed in connection with the testimony of Paul Flint, who represents himself to be the Secretary of the Montana Mining Association, which association, he admitted under oath, now has but two members, the Anaconda Copper Mining Company and the American Smelting and Refining Company, and while the witness Flint stated that his pay check comes from the Association, he admits in his testimony that his Legislative reports are made for Mr. Dan M. Kelley, chief counsel for the Anaconda Copper Mining Company. Excerpts from the testimony of Mr. Flint are as follows:

Q. What is your occupation?

A. Secretary of the Montana Mining Association.

Q. Who gives you your pay check?

A. My pay check comes from the Montana Mining Association.

Q. Who are the directors of the mining association?

A. The last directors I couldn't tell you. The last president was W. W. McDowell and there has been no president since his death.

Q. Are there any other officers than yourself?

A. No, not at the present time.

Q. You don't have a board of directors?

A. I guess we have, but we haven't had an election of the board of directors since McDowell's death.

Q. You cannot now recall who those directors are?

A. I couldn't name them.

Q. Give us an idea of how many members you have in your association.

A. Up to the present time that membership has dwindled until the first of January the only members were the Anaconda Copper Mining Company and the American Smelting and Refining Company.

LIQUOR FREELY USED

Various witnesses testified as to their methods of lobbying, as to how they approach the Legislators, how they get their case before them and how they entertain them. Various witnesses testified, also, to the effective use of liquor as the means of gaining the good will and friendly contact with the Legislators.

It would appear from the testimony of the various witnesses that a very large majority of the members of the Legislature have partaken of the intoxicants thus prepared and served by the minions of big business in the State of Montana and the free admissions of the witnesses as to the fatality accompanying bills which they opposed, such as utility tax bills and bills providing the Public Service Commission with increased powers, many of which they testified they opposed in this present session, bears witness to the effectiveness of the methods used.

That the thirst of Montana Legislators is difficult to slake, is brought out clearly by the testimony of the various witnesses. The following excerpt from Mr. Rea's testimony in regard to the use of liquor is typical of the testimony of other witnesses on this subject:

Q. Can you give us some idea of how much gin you have used during this session?

A. I haven't any idea in the world. Couldn't give you any answer at all. I am not going to say twelve bottles or twenty-four bottles.

Q. Would you say it might have been twenty-four bottles?

A. Yes, it might have been twenty-four bottles. Yes.

Q. And would those be quart bottles?

A. Yes.

Q. How many bottles of whiskey would you say that you have used?

A. I have to answer to that the same as the gin. It might be a dozen and it might be twenty-four.

Q. Might be twenty-four bottles of whiskey? And what size?

A. Those are quarts, I guess. Seagram's Seven Crowns.

Q. Might the number of bottles be thirty-six?

A. I wouldn't say. * * * I am not going to say twenty or thirty-six or twenty-four.

Q. You wouldn't say it was not thirty-six?

A. No, I wouldn't say it was not thirty-six.

* * * * *

CONTROL OF NEWSPAPERS

The witness Campbell, editor of the Helena Independent, shows that a majority of the stock in that paper is controlled by one Dickey, business manager of the Butte Post, which the testimony reveals is controlled by the Anaconda Copper Mining Company. The witness Campbell testified that he, as trustee, holds 342 shares of the capital stock of the corporation; that he personally owns 91½ shares and that these shares are the majority of the shares in the publication.

The witness Campbell testified that when the paper loses money it borrows from the said Dickey sums necessary to keep operating and that the said Dickey, although not generally recognized as a person of any material financial responsibility, has invested in the stock of the publication more than \$34,000 for the purchase of the stock and that he has loaned the publication in the neighborhood of \$200,000.00, so that his total investment in the paper would exceed \$234,000.00.

It is significant indeed that this dominant block of stock should be held by the manager of a paper controlled by the Anaconda Copper Mining Company. This situation leads to the inference that large sums of money must be furnished from some source unknown at the present time to your committee, but in view of the fact that the testimony shows the said Dickey to be business manager of the Butte Daily Post, controlled by the Anaconda Copper Mining Company, it indicates that if the search could be followed to its ultimate conclusion the source of these large sums of money might eventually be traced to the Anaconda Copper Mining Company and perhaps public utilities and that these losses might be charged up to operating expenses and be so calculated as to raise rates to consumers in Montana.

Due to the absence from the state of Mr. Dickey, the latter could not be questioned by your committee and although the witness Campbell testified that editorials and articles appearing in his paper were uninspired by any outside influence, many articles and editorials in support of the position of the public utilities were presented in evidence before your committee to indicate that his attitude as an editor is entirely subservient to the wishes of the Montana Power Company and the Anaconda Copper Mining Company.

Joseph L. Markham, business manager of the Montana Standard and the Anaconda Standard, testified that these papers are controlled by the Anaconda Copper Mining Company. Excerpts from his testimony are as follows:

Q. What is your business or occupation?

A. General manager of the Standard Publishing Company, Butte and Anaconda.

Q. What papers does the Standard Publishing Company print?

A. The Montana Standard in Butte and the Anaconda Standard in Anaconda.

Q. The Montana Standard is controlled by the Anaconda Copper Mining Company?

A. It is understood so.

Q. The stockholders of the Anaconda Standard are C. J. Kelley,—

A. Charles Kelley, Sr.

Q. Is that the director of the Metals bank?

A. Yes.

Q. And he has 15,864 shares.

A. Yes.

Q. Do you know whether he holds that in trust?

A. Yes, sir.

Q. Do you know who he holds it for?

A. Yes, sir.

Q. Who?

A. The Anaconda Copper Mining Company.

* * * * *

Due to the absence from the state of Mr. Leon Shaw, business manager of the Billings Gazette, the association of interest or the control of this

publication by either the Montana Power of the Anaconda Copper Mining Company could not be established, although articles carried in the paper and submitted to your committee clearly indicate the prejudice of the publication in favor of these special interests.

It is notable that a large number of advertisements running into very considerable sums of money, supporting the position of the Montana Power Company during the recent political campaign, were carried in these publications and that the advertising was charged to operating expenses which, in turn, become a part of the rate base, increasing the cost of electricity to the consumers.

An interesting detail in this connection is evidenced by the submission of copies of the election expenses of Chas. A. Rasmussen, candidate for Railroad and Public Service Commissioner in the recent election. Although the expense account filed by Rasmussen personally amounted to only \$393.00, and although the expense account filed by the Rasmussen for Railroad Commissioner Club amounted to only \$1093.60, it is difficult for your committee to determine how so extensive a campaign could have been handled at so little expense. Contributions are shown from but nine contributors. Conspicuous among the contributors to this campaign is the name of Paul Flint who represents himself to be employed as secretary of the Montana Mining Association but reporting legislative activities to Dan M. Kelly, chief counsel for the Anaconda Copper Mining Company and the Montana Power Company.

These expense accounts show no expenditures to the Montana Standard for certain advertisements marked "Paid Political Ads", carried in the Montana Standard for November 3, 1934, November 4, 1934 and November 5, 1934, and perhaps it is well to note that Section 10798 of the Revised Codes of 1921 reads in part as follows:

"No publisher of a newspaper or other periodical shall insert, either in its advertising or reading columns, any paid matter which is designed or tends to aid, injure, or defeat any candidate or any political party or organization, or measure before the people, unless it is stated therein that it is a paid advertisement, the name of the chairman or secretary, or the names of the other officers of the political or other organization inserting the same, or the name of some voter who is responsible therefor, with his residence and the street number thereof, if any, appear in such advertisement in the nature of a signature." * * *

In this connection it is also important to note Section 10816 of the Revised Codes of 1921, which reads as follows:

"Whoever violates any provision of this Act, the punishment for which is not specifically provided by law, shall on conviction thereof be punished by imprisonment in the county jail for not more than one year, or by a fine of not more than five thousand dollars or by both such fine and imprisonment."

With the time available, your committee could not probe these features adequately but they offer almost unlimited possibilities for the uncovering of criminal violations of the Corrupt Practice Act of the State of Montana and present a situation demanding that proper law-enforcement officials of this state should immediately proceed to the proper prosecution of those guilty of these violations.

MISCELLANEOUS LOBBYISTS.

Your committee made the best effort it could to inquire into the activities of other lobbyists frequenting the legislative halls. The brief time at its disposal made extensive examination impossible, but some interesting details were nevertheless developed.

For instance, Mr. W. J. Jameson of Billings testified that as a lobbyist he represents the Billings as Company, the Sawyer chain-store organization, the Yale Oil Corporation, the Lockwood Irrigation District and the Northern Pacific Railway. He refused to testify as to the remuneration which he received from these various clients on the grounds that it was personal business and not a proper subject of investigation. He testified that he had attended previous sessions of the legislature as a representative of the Billings Gas Company, in an effort to defeat legislation which would place a tax on natural gas.

Howard Toole of Missoula testified that he represented all the railroads of Montana; that he, in cooperation with Dan Healy of Livingston, W. J. Jameson of Billings and M. S. Gunn of Helena, has been active during this session in an effort to defeat the various bills such as the bill to limit the number of cars in a train, and that he has spent practically the entire time of the session in Helena.

Thos. J. Davis, of Butte, testified that he as an attorney for the Safe-way Stores has been in attendance at this session of the legislature in an effort to defeat the Fowler Chain Store Bill. He testified that his expenses are paid, but that he is on a yearly retainer as attorney for the company.

Other lobbyists who have been in attendance during the session, in an effort to defeat the Fowler Chain Store Bill, were Phil Palm, Al Hammerstrom and John Ferry, former member of the legislature. These witnesses testified that a number of other persons had been in attendance lobbying to defeat chain store tax bills.

Willard Fraser of Billings testified that he is secretary of the Independent Merchants' Association of Montana; that he sent out to various parts of the state requests for financial assistance in connection with an effort to pass the Fowler Chain Store Bill; that he has received in the neighborhood of between five and six hundred dollars with which to carry forward his work; that he has traveled widely over the state, using his automobile; that he has had literature printed and distributed and that he was active in securing organized support for this legislation from the independent merchants in various sections of the state; that he had urged them to request the legislators, by letter and wire, to support legislation of this character, and that all of the funds that he had received for this purpose had been used for this purpose.

THE BOONE INCIDENT

An interesting circumstance in connection with the questioning of Mr. Fraser developed when Representative Boone of Powell County demanded, as a member of the House, the right to question the witness. He was accorded this privilege and asked a series of questions calculated to embarrass the chairman of the committee who is author of the chain store legislation mentioned, and to interfere with the committee's orderly procedure.

Thereafter, following a short recess, Representative Boone himself was placed on the stand, duly sworn, and testified as follows:

Q. What is your name, please?

A. W. T. Boone.

Q. What is your business or occupation?

A. I am a lawyer.

Q. Where are you located?

A. Deer Lodge, Montana.

Q. You are also a member of the House of Representatives?

A. I am a member of the House of Representatives.

Q. Did you discuss with Dan Kelly your coming here tonight to question the witness?

A. I did not.

Q. Didn't you have a conversation with Dan Kelly, in this room here, in which he said, "Are you going to question him tonight?"

A. I did not.

Q. And didn't you ask him, "Have I got the right to do that" or in substance?

A. I asked one man in the hall if I had the right to do that.

Q. Who did you ask that of?

A. I don't know; some attorney out there.

Q. Wasn't it Dan Kelly, of the Anaconda Copper Mining Company?

A. It was not.

Q. So you didn't talk to Dan Kelly of the Anaconda Copper Mining Company concerning your questioning any witness here tonight?

A. No.

Q. And you didn't ask any advice of him whatsoever?

A. No.

* * * * *

Immediately thereafter James Stafford, Assistant Chief Clerk of the House, was called to testify. His testimony was as follows:

Q. What is your name, please?

A. James Stafford.

Q. Do you know Mr. Boone?

A. I do.

Q. Do you know Dan Kelly of the Anaconda Copper Mining Company?

A. I do.

Q. Will you relate, in substance, the conversation you heard between them this evening?

A. When I was coming through the door, when Fraser was testifying, Boone stepped out between us and Kelly says, "Are you going to question that fellow, Bill?" He says, "Have I the power, Dan?" He says, "Yes, as a member of the House you have." Whereupon Mr. Boone made the following statement:

Mr. Boone: May I request the privilege of having Tom Davis returned to the room? Certain motives of mine have been impugned by the committee. My name has been blackened before this committee, so I am going to request Mr. Tom Davis be recalled to testify before this committee.

Mr. Fowler: The request is denied.

Mr. Boone: May the record further show that Mr. Tom Davis would testify that he was the man I asked that question of. I want the record to show that for my own protection.

* * * * *

Mr. Stafford's testimony was significant in view of the fact that Mr. Dan M. Kelly had appeared as counsel for the various corporations under investigation and for various witnesses whom the committee had called. It is likewise significant that Mr. Tom Davis was the obvious leader of

the lobby opposing chain store legislation, so that the witness Boone spoke either at the behest of the chief counsel for the Anaconda Copper Mining Company or the principle counsel for the chain stores.

CONCLUSIONS AND RECOMMENDATIONS

It is the opinion of your committee that these three brief hearings have developed facts of momentous importance to the people of the State of Montana. It is apparent to your committee from the evidence submitted that the Anaconda Copper Mining Company, the Montana Power Company and the Montana Power Gas Company wield a controlling influence over a number of the daily papers of the state; that expenses in connection with the carrying of advertisements calculated to support the companies in their position on any matter were paid for by the public utilities, charged up to operating expenses and thus indirectly charged back to the consumers of the state through the rates.

Your committee believes that the testimony indicates beyond any doubt that a powerful conspiracy exists, backed up by great financial resources and the influence of dominant publications and a powerful lobby to defeat the will of the majority of the people in the selection of officials for public office and in legislative assemblies. While your committee does not condemn the practice of legitimate lobbying and the legitimate presentation of the virtues or demerits of any question before legislative committees, it believes that this investigation has exposed a powerful means by which undue and destructive influence is wielded to defeat public interests. That such a condition is deplorable in the extreme and that subsequent legislatures should take adequate steps to correct this great evil.

Your committee recommends that the next session of the legislature enact suitable legislation such as is now on the statute books of the State of Wisconsin and Massachusetts, to control the undue use of lobbying, to require lobbyists to register and to make known those interest which they serve, their compensation for such services and to file expense accounts showing the money expended for the various purposes; that this legislation be backed up by the appointment, in the early days of every subsequent legislature, of a committee authorized as this committee has been, to investigate lobbying activities and the political activities of corporations and public utilities.

Your committee further recommends that legislation be passed prohibiting any corporation, officer, employee or agent from: (1) soliciting, inviting, asking or inducing any stockholder in such corporation to vote for or against any candidate; (2) publishing, or causing to be published, any advertisement or newspaper article which tends to elect or defeat any candidate; (3) soliciting, inviting, asking or inducing any person to become a candidate or refrain from becoming a candidate.

Your committee further recommends that violations of the Corrupt Practice Act as shown herein be properly prosecuted by those charged with such duties in the State of Montana, and that, by future legislation, the Corrupt Practice Act of the State of Montana be greatly strengthened and fortified.

Respectfully submitted,

FOWLER,
EMMONS,
O'BYRNE.

It was moved by Fowler, duly seconded, that the report be adopted.

After considerable debate, the previous question was moved by Stevens and carried.

Whereupon, motion by Fowler to adopt the report was put and lost.

Mr. Speaker: We, your Conference Committee on Substitute for Senate Bill No. 22, having had under consideration Substitute for Senate Bill No. 22, entitled: "An Act to provide for state insurance of public buildings and contents; to provide for the valuation thereof; to provide for the duties of public officers in connection therewith; to provide for the levying of assessments premiums, for the investment and distribution of the insurance fund, and for the payment of losses; to prevent any other manner of insuring public property; and to provide penalties for the violation of this Act."

Respectfully report as follows: That Substitute Senate Bill No. 22, having been amended in the House, amendments be disposed of as follows:

That Senate concur in House amendments to title.
 That Senate concur in House amendments to Section 1.
 That Senate concur in House amendments to Section 3.
 That Senate concur in House amendments to Section 7.
 That Senate concur in House amendments to Section 9.
 That House recede to House amendments to Section 11.
 That Senate concur in House amendments to Section 12.
 That House recede to House amendments to Section 13.
 That Senate concur in House amendments to Section 14.
 That Senate concur in House amendments to Section 16.

GARRISON,
 CARROLL,

For the Senate.

O'BYRNE,
 HINERMAN,
 CHAMBERLAIN,

For the House.

STATEMENT

The House amendment to Section 11, which pertains to way in which the State Insurance Fund should be invested is not necessary, because this matter is already covered by law as follows:

The Twenty-third Legislative Assembly amended this law to prohibit investing any portion of the Trust and Legacy Fund in Farm Mortgages. It must be invested in school, county, city, state or Federal bonds, or in warrants on the General Fund of the state, interest bearing warrants on General Fund, Poor Fund, Road Fund or Bridge Fund of counties. All such investments subject to regulations and limitations of this Act.

The House amendment to Section 13, which provides that four per cent of the State Insurance Fund may be used for the purposes of the administration of this Act is unnecessary because this matter is taken care of by an appropriation. Therefore this provision is not necessary.

O'BYRNE.

On motion of O'Byrne, duly seconded, Conference Committee report on House Amendments to Substitute Senate Bill No. 22, was adopted by the following vote:

Ayes: Ahlgreen, Anderson, Baggord, Ballard, Brennan, Burris, Buttelman, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Emmons, Ewing, Foor, Fowler, Gordon, Gray, Green (Dawson), Hamilton, Harlen, Hinerman, Kathan, Kruse, Kuhl, Lasby, Leary, Lippard, Lott, Lovell, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Mulholland, Neary, Nutting, O'Brien, O'Byrne, Ormsbee, Peter-

sen (Sheridan), Peterson (Valley), Quigley, Rolph, Ryan, Sexton, Sherman, Spiegel, Stimatz, Toomey, Whaley, White (Hill), York, Mr. Speaker. Total 58.

Noes: Bertsche, Boone, Busch, Doe, Emmett, Goodwin, Groene (Fergus), Hall, Harwood, Haugan, Heavlin, Hedden, Joffray, Kelly, Lemmer, Liggett, Logan, Moss, Mundy, Neison, O'Connor, Padbury, Parker, Peterson (Gallatin), Ritch, Scofield, Smith, Southmayd, Stevens, Stromnes, Watson, White (Judith Basin), Worden. Total 33.

Absent and not voting: Acher, Ecton, Egan, Holding, Johnson, Leavitt, McCausland, Metlen, Minette, Monahan, Haight. Total 11.

The Speaker: Fifty-eight have voted "aye"; thirty-three have voted "no"; Conference Committee report on House amendments to Substitute Senate Bill No. 22, has been adopted by the House.

Mr. President and Mr. Speaker:

We, your Conference Committee, appointed to confer on House Bill No. 474, as amended, begs to report as follows:

That the Senate amendment to House Bill No. 474 be concurred in and that the amendment in Section 2, referring to the period of three years, be receded from because it was not approved by the Senate, and in error appears in said bill.

It is recommended said bill be concurred in as amended.

MEYER,
CAREY,
HOLT,

For the Senate.

BURRIS,
MILLER of Big Horn,
MASTERSON.

For the House.

STATEMENT

Senate amendment to Section 2 was conflicting. After an explanation of Senate records, it was found that the amendment extending period of time to three years, was not adopted.

BURRIS.

On motion of Burris, duly seconded, Conference Committee report on Senate Amendments to House Bill No. 474, was adopted by the following vote:

Ayes: Ahlgreen, Anderson, Ballard, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Green (Dawson), Haight, Hall, Hamilton, Harwood, Heavlin, Hedden, Hinerman, Kathan, Kruse, Lasby, Leary, Leavitt, Lemer, Liggett, Lippard, Logan, Lott, McLaughlin, Manning, Masterson, Muler (Roosevelt), Miller (Big Horn), Minette, Mitchell, Mulholland, Neary, Nutting, O'Byrne, O'Connor, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Toomey, Watson, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 72.

Noes: Stimatz.

Absent and not voting: Acher, Balgord, Bertsche, Byrne, Egan, Fowler, Gray, Groene (Fergus), Harlen, Haugan, Holding, Joffray, Johnson, Kelly, Kuhl, Lovell, McCausland, Metlen, Monahan, Moss, Mundy, Nelson, O'Brien, Parker, Southmayd, Stevens, Stromnes, Whaley, Worden. Total 29.

The Speaker: Seventy-two have voted "aye"; one has voted "no"; Conference Committee report on Senate Amendment to House Bill No. 474, has been adopted by the House.

Mr. Speaker: We, your Conference Committee appointed to consider House Bill No. 449, report that the Senate has receded from their amendments which restores the bill to its original form as it left the House.

MULHOLLAND,
Chairman, House Committee.

THIEN,
Chairman, Senate Committee.

On motion of Mulholland, duly seconded, Conference Committee report on Senate Amendments to House Bill No. 449, was adopted by the following vote:

Ayes: Acher, Ahlgreen, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Chamberlain, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Ewing, Foor, Goodwin, Gordon, Green (Dawson), Groene (Fergus), Haight, Hamilton, Harlen, Harwood, Holding, Hinerman, Joffray, Kathan, Kelly, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Neary, O'Connor, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Stevens, Stimatz, Toomey, Watson, White (Judith Basin), White (Hill), York, Mr. Speaker. Total 74.

Noes: None.

Absent and not voting: Anderson, Buttelman, Byrne, Chapman, Fowler, Gray, Hall, Haugan, Heavlin, Hedden, Johnson, Kruse, Lovell, McCausland, Metlen, Minette, Moss, Mundy, Nelson, Nutting, O'Brien, O'Byrne, Parker, Rolph, Southmayd, Stromnes, Whaley, Worden. Total 28.

The Speaker: Seventy-four have voted "aye"; none have voted "no"; Conference Committee report on Senate amendments to House Bill No. 449 has been adopted by the House.

MOTIONS AND RESOLUTIONS

It was moved by O'Byrne, duly seconded, that the House reconsider its action on House Bill No. 289. Motion was lost.

It was moved by Cusick, duly seconded, that the House go into executive session, to consider the Carey Investigation Committee report under House Rule No. 59.

On substitute motion, it was moved by Burris, duly seconded, that the House recess for 15 minutes. Motion was lost.

Whereupon, motion by Cusick was put and carried.

House recessed to go into Executive Session.

House resumed. Mr. Speaker in the Chair.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that a Select Committee of five members be appointed by the Speaker to draft resolutions, based on the findings of this committee and the Special Committee which investigated the Railroad Commission, said resolutions to be directed to the Attorney General of Montana asking the Attorney General to at once exert the authority of his office to effect the removal of Thomas Carey from the office of Railroad Commissioner for misfeasance, incompetence and neglect of official duty.

The following committee was appointed by the Speaker on the above motion: Byrne, Chairman, Cusick, Foor, Emmons and Peterson of Gallatin.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 14, 283 and 289.

MONAHAN, Chairman.

Without objection, report adopted.

I have read House Bill No. 14, as reported from the Enrolling Committee and certify same to be correct.

HELDING.

I have read House Bill No. 283, as reported from the Enrolling Committee and certify same to be correct.

GOODWIN.

I have read House Bill No. 289, as reported from the Enrolling Committee and certify same to be correct.

LEAVITT.

The Speaker announced he was about to sign House Bill No. 14, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 283, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 289, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 39, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 169, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 104, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 68, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 217, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 132, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Sub. Senate Bill No. 79, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 146, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 160, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 213, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 91, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 182, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 175, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 207, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 53, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 191, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 2, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 192, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 93, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

REPORTS OF SELECT COMMITTEES

The following report was read.

Mr. Speaker: We, your Conference Committee appointed to confer on Senate Bill No. 153, beg leave to report that we recommend the following amendment:

Amend the amendment to Section 2, in line 3 of the amendment, by inserting after the word "years" the following: "except when accompanied by parents or guardian."

We recommend that this bill be concurred in as amended.

ANGVICK,
PLUMER,
BENJAMIN,

For the Senate.

LASBY,
SOUTHMAYD,
HARLEN,

For the House.

STATEMENT

The additional amendment enables minors, when accompanied by parents, or guardians, to enter establishments dispensing beer.

LASBY.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND
THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day refused to adopt the report of the Joint Conference Committee on S. B. No. 153, and requested a new committee be appointed from both the House and Senate for further consideration of the House amendments to said bill; whereupon the President of the Senate appointed the following Senators to act as such committee:

Benjamin.

Anderson,

Kelsey.

And the House is hereby requested to appoint a like committee.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that further messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That H. J. R. No. 7 be concurred in.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on roll call, adopted the report of the Joint Conference Committee on Senate amendments to House Bill No. 474.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the report of the Joint Conference Committee on House Bill No. 364 was this day, on roll call, adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day on motion, and at the request of the House, appointed the following Conference Committees from the Senate to confer with like committees from the House:

For consideration of H. B. No. 474—Meyer, Holt and Carey.

For consideration of H. B. No. 449—Thien, Cooper and Angvick.

For consideration of Senate Sub. for Senate Sub. for H. B. No. 3—Shannon, Oliver and Kalberg.

For consideration of H. B. No. 419—Benjamin, Pauline, Holton.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day gave notice that he was about to sign, and did sign in open session: S. B. Nos. 101, 94, 155, 67, 197, 151, 127, 118, 164, 145, S. J. M. 5, S. J. M. 1, S. J. R. 5, S. J. M. 4, S. J. R. 7, H. B. Nos. 413, 390, 346, 331, 201, 54, Sub. 36.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Enrolling: Reported S. B. Nos. 67, 94, 151, 101, 127, 155, 197, S. J. M. 1, correctly enrolled and duly verified.

Relief and Social Welfare: Recommended H. B. No. 343 (Sub.) be amended as per the attached, and as amended, be concurred in.

Finance and Claims: That H. B. No. 25 be concurred in.

That Sub. H. B. No. 28 be not concurred in.

That H. B. No. 152 be concurred in.

That H. B. No. 275 be concurred in.

That H. B. No. 366 be concurred in.

That H. B. No. 377 be amended in Section 2, original bill, by inserting after the word, "conviction" the following words: "Provided this appropriation is contingent upon the approval of a valid claim by the State Board of Examiners."

And as amended, be concurred in.

That H. B. No. 490 be concurred in.

That H. B. No. 517 be concurred in.

That H. B. No. 533 be amended in line 75, page 3, printed bill, by striking out the words and figures, "Five Hundred Dollars (\$500.00)", and inserting in lieu thereof the words and figures, "Three Hundred Dollars (\$300.00)";

Be amended in Section 1, page 3, after line 84, printed bill, by inserting the following words and figures, "For repairs to capitol, Six Hundred Seventy-two Dollars and Seventy Cents (\$672.70)". And as amended, be concurred in.

That H. B. No. 540 be concurred in.

That H. B. No. 532 be amended as per the attached, and as amended, be concurred in.

That H. B. No. 489 be amended as per the attached, and as amended, be concurred in.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Senate Committee on Finance and Claims amendments to H. B. No. 489.

Amend Section 2, lines 10 and 11, page 2, printed bill, by striking out the words and figures, "Fifteen Thousand Eight Hundred Forty-one Dollars (\$15,841.00)", and inserting in lieu thereof the words and figures, "Ten Thousand Eight Hundred Forty-one Dollars (\$10,841.00)".

Amend Section 2, line 13, page 2, printed bill, by inserting after the word, "institution", the following words, "for salaries and operations."

Amend Section 2, line 17, page 2, printed bill, by striking out the words and figures, "Eighty-five Thousand Dollars (\$85,000.00)" and inserting in lieu thereof the words and figures, "Eighty-two Thousand Five Hundred Dollars (\$82,500.00)".

Amend Section 2, lines 63 and 64, page 3, printed bill, by striking out the words and figures, "Seventeen Thousand Five Hundred Dollars (\$17,500.00)", and inserting in lieu thereof the words and figures, "Twelve Thousand Dollars (\$12,000.00)".

Amend Section 3, lines 10 and 11, page 4, printed bill, by striking out the words and figures, "Fifteen Thousand Eight Hundred Forty-one Dollars (\$15,841.00)", and inserting in lieu thereof the words and figures, "Ten Thousand Eight Hundred Forty-one Dollars (\$10,841.00)."

Amend Section 3, line 13, page 4, printed bill, by inserting after the word, "institution", the following words, "for salaries and operations."

Amend Section 3, line 17, page 4, printed bill, by striking out the words and figures, "Eighty-five Thousand Dollars (\$85,000.00)" and inserting in lieu thereof, "Eighty-two Thousand Five Hundred Dollars (\$82,500.00)".

Senate Committee on Finance and Claims amendments to H. B. No. 532:

Amend line 8, Section 2, page 2, printed bill, by striking out the words and figures, "Fifty Thousand Dollars (\$50,000.00)", and inserting in lieu thereof the words and figures, "Sixty Thousand Dollars (\$60,000.00)".

Amend lines 115 and 116, Section 2, page 5, printed bill, by striking out the words and figures, "Eighteen Thousand Dollars (\$18,000.00)", and inserting in lieu thereof, "Fourteen Thousand Dollars (\$14,000.00)".

Amend Line 121 of Section 2, page 5, printed bill, by striking out all of line 121, after the word "appropriation" and all of line 122.

Amend Section 2, page 5, printed bill, by striking out all of lines 127, 128 and 129.

Amend line 135, Section 2, page 5, printed bill, by striking out the words and figures, "Two Hundred Twenty-five dollars (\$225.00)", and inserting in lieu thereof the words and figures, "Seventy-five Dollars (\$75.00)".

Amend line 142 of Section 2, page 6, printed bill, by striking out the words and figures, "Sixteen Hundred Dollars (\$1600.00)", and inserting in lieu thereof the words and figures, "Six Hundred Dollars (\$600.00)".

Amend line 162, Section 2, page 6, printed bill, by striking out the words and figures, "Two Thousand Five Hundred Dollars (\$2,500.00)", and inserting in lieu thereof the words and figures, "Twelve Hundred and Fifty Dollars (\$1250.00)".

Amend line 192, Section 2, page 7, printed bill, by striking out the words and figures, "Three Thousand Five Hundred Fifty-seven Dollars (\$3,557.00)" and inserting in lieu thereof the words and figures, "Three Thousand Dollars (\$3,000.00)".

Amend Section 2, page 10, printed bill, by striking out all of lines 287 and 288.

Amend Section 2, page 10, printed bill, by striking out all of lines 290 and 291.

Amend Section 2, page 10, line 301, printed bill, by striking out the words and figures, "Eight Thousand Dollars (\$8,000.00)", and inserting in lieu thereof the words and figures, "Six Thousand Dollars (\$6,000.00)"

Amend Section 2, Page 10, printed bill, by striking out all of lines 308, 309, 310, 311, 312, 313 and 314.

Amend Section 2, page 12, printed bill, by striking out in line 357 the word, "increased", and inserting in lieu thereof the word, "paid".

Amend Section 2, page 12, printed bill, by striking out in line 358 the words, "by reason of the use of the", and inserting in lieu thereof the words, "out of this."

Amend Section 3, page 15, lines 102 and 103, printed bill, by striking out the words and figures, "Eighteen Thousand Dollars (\$18,000.00)", and inserting in lieu thereof the words and figures "Fourteen Thousand Dollars (\$14,000.00)".

Amend line 108, Section 3, page 15, printed bill, by striking out all of line 108, after the word, "appropriation", and all of line 109.

Amend Section 3, page 16, line 119, printed bill, by striking out the words and figures, "Two Hundred Twenty-five Dollars (\$225.00)" and inserting in lieu thereof the words and figures, "Seventy-five Dollars (\$75.00)".

Amend Section 3, page 16, line 126, printed bill, by striking out the words and figures, "One Thousand Six Hundred Dollars (\$1,600.00)", and inserting in lieu thereof the words and figures, "Six Hundred Dollars (\$600.00)".

Amend Section 3, page 16, line 146, printed bill, by striking out the words and figures, "Two Thousand Five Hundred Dollars (\$2,500.00)", and inserting in lieu thereof the words and figures, "Twelve Hundred and Fifty Dollars (\$1,250.00)".

Amend Section 3, page 17, line 174, printed bill, by striking out the words and figures, "Three Thousand Five Hundred Fifty-seven Dollars (\$3,557.00)", and inserting in lieu thereof the words and figures "Three Thousand Dollars (\$3,000.00)".

Amend Section 3, page 20, printed bill, by striking out all of lines 267 and 268.

Amend Section 3, page 20, printed bill, by striking out all of lines 284, 285, 286, 287, 288, 289 and 290.

Amend Section 3, page 22, line 333, printed bill, by striking out the word, "increased" and inserting in lieu thereof the word, "paid".

Amend Section 3, page 22, line 333, printed bill, by striking out the words, "by reason of the use of the", and inserting in lieu thereof the word, "out of this".

REPORTS OF SELECT COMMITTEES

The following report was, on motion of Stromnes, duly seconded and carried, accepted and placed on file.

YOUR COMMITTEE APPOINTED TO INVESTIGATE THE
LIQUOR BOARD SUBMITS THE FOLLOWING REPORT

Report of the Special Investigating Committee of the House, appointed by the Speaker, by virtue of House Resolution No. 4. Committee was appointed by the Speaker, consisting of the following members: Monahan, O'Brien, Hedden, Foor, Stevens. For the purpose of investigating the operation of the State Liquor Board. A subsequent resolution was adopted providing for a joint Senate and House investigating committee, providing for a committee of seven to correspond with the like committee of seven from the Senate. At that time Hamilton and Ballard were added to the original committee. After waiting several days for the action of the Senate with reference to the resolution, we discovered the Senate committee refused to act as a joint committee with the House committee. On learning the action of the Senate committee we met and appointed a sub-committee consisting of Monahan, Stevens and Hedden. The sub-committee found that the Senate committee had taken possession of the correspondence and the easily transferable records of the Liquor Board and held them in their possession to the exclusion of the House investigating committee.

With such available data your committee then took up the investigating of the work of the board. We found the books and accounts in most excellent condition with an accounting system that had been carefully prepared and put into operation.

Following is a resume of the Board's operations as disclosed by the evidence.

The Board commenced business shortly before Christmas in 1933, without any capital. It was restricted in credit to an aggregate of \$25,000.00. On January 9, 1934, a bill was approved, giving the Liquor Control Board \$100,000, with which to operate its business. Since that time it opened new stores until the number to date is 125. It purchased and sold liquor at a profit so that on December 31, 1934, it had made a net profit of \$722,214.57. This profit is very largely reflected in the stock of merchandise built up in the stores and in the central warehouse.

The \$100,000 advanced from the General Fund, has been repaid to the General Fund and it is anticipated that during the coming year, the profits, which will not be less than double those of last year, will be available for state purposes since the stock of merchandise has been built to a point where it does not need very much further expansion.

From a purely financial standpoint, the operation of the State Liquor Stores has been a huge success. An astonishingly small amount has been invested in machinery, appliances, furniture and fixtures.

It was the purpose of your committee to investigate every criticism made of the board and to determine the truth of such criticisms. For the purpose of brevity in this report, we shall consider only those which we deem of any major importance.

VENDORS

In communities where there appeared to be sufficient business to sustain an exclusive store, such a store was installed and a vendor was employed at a specified salary. There are 56 such stores. Where it appeared that there would not be enough business to sustain an exclusive store,

the Board has made agreements with the proprietor of some established business to carry in his store, but separately, a small stock of liquors, for which service he was to be recompensed. Some of these dealers did a very small volume of business while others did a comparatively large volume, dependent upon the locality, population and other features. The Board compensated such dealers by paying them approximately 10% upon the volume of the liquor sold by them.

This practice has been criticized upon the ground that by compensating such dealers on what substantially amounts to a commission basis, it induces the dealers to push the sale of liquors contrary to the agreed policy that the state should not endeavor to create more drinking.

To this criticism some of the members of your committee agree. The members of the Liquor Board defend the practice upon the ground that such a method is the only fair method they have been able to devise of compensating such dealers for the amount of work done.

Your committee is not entirely satisfied that such reason is sufficient and recommends that during the coming year the members of the Liquor Board give intensive study to the problem and endeavor, if possible, to devise a fair method of compensation to such dealers, which will repay them for their work but which will not induce them to push the sale of liquor in order to increase the volume of work done and thereby increase their compensation.

LAW ENFORCEMENT

The Liquor Control Board has been blamed for the acknowledged widespread non-observance of the liquor law with reference to serving liquor by the drink in particular.

This is not the fault of the Liquor Control Board but the fault lies solely with the local officers, county attorneys and county sheriffs who apparently make no effort whatever to curb the sale of intoxicating liquors by the drink over bars although such violations undoubtedly are known to them. In and around the City of Helena alone there are perhaps a dozen places which sell liquor illegally, which places are undoubtedly known to the county attorney and to the sheriff but nothing is done about it.

The Liquor Control Board is permitted to employ inspectors but these inspectors are not vested with the general powers of peace officers. Under the law of the State of Montana, it is the duty of the County Attorney and of the sheriff to prosecute violations of law whether or not such violations be against the liquor law or any other law and your committee cannot too strongly condemn the attitude of county officers who blandly ignore this obligation.

BROKERS

The charge has been made that the members of the State Liquor Board have required distillers to employ local brokers at a commission and that the cost of the employment of such local brokers has added to the price of liquors being sold to the board. This charge is not sustained by any evidence which your committee can discover. On the contrary, it has been shown that distillers will not sell the State Liquor Control Board their products at a lower price regardless of the question of representation. The larger distillers have in some instances asserted that representation by brokers is much more intensive than representation by traveling salesmen and are pleased with the method of doing business. With the exception of one distributor selling apple jack, a type of liquor with very small distribution, your committee was unable to find where any liquor could be purchased more cheaply than is now being purchased.

There are many minor criticisms which might be taken one by one—some of which may be justified and many of which are entirely unjustified. At the late date of this report your committee does not feel it should go into these minor matters. Most of them are question of policy which must be determined by any board in charge of such an extensive business. Most of them are matters which, if in need of correction, cannot be corrected by legislation.

On the whole, your committee feels that the Montana State Liquor Control Board has done a very creditable job. It is composed of three members who have many other duties to perform and who can give only a very small part of their time to the work of the Liquor Control Board. Your committee has been informed that of all the state liquor store systems that in the State of Montana has the best record. Within the last week the newly created board of the State of Wyoming, came to the Capitol at Helena, to study the Montana system because of this fact. The State of Idaho also has recently corresponded with the State Liquor Control Board and indicates that it desires to adopt many of the features which the State Liquor Control Board of Montana has put into effect. Your committee feels that the single year which has passed has not been a fair test for any new business. Adjustments are being and will be made from time to time, and two years from now, when the Legislature meets again, it will be sufficiently early to criticize the methods of carrying on the system.

Your committee obtained a list of 73 persons or places which had taken out one thousand dollar permits for the sale of hard liquors in the State of Montana. We checked with the records of the Board of Equalization and found that 41 of them have received permits for sale of beer, while several others were located at places, or next to places, where beer permits had been issued.

The Board of Equalization was asked if any inquiry was made regarding the violation of the state laws by the holders of these beer permits. We were informed that no action had been taken toward revoking such beer permits. In questioning both the Liquor Control Board and the Board of Equalization, we found that there was no cooperation between the two bodies working to the enforcement through the revocation of beer permits where the State Liquor Laws were violated. Under the pending legislation, this condition should be speedily remedied.

In our examination before the Board of Equalization, we found that few beer permits had been revoked, but that it was the policy of that body to only investigate where complaints were formally entered. As a result, very few permits had been revoked.

In order to make the work of the State Liquor Board effective, a more rigorous policy of investigating the places where beer permits have been issued must be effected.

The places for which liquor permits have been taken out are listed in the report of the Senate Committee.

RESUME

In conclusion your committee wishes to summarize the following recommendations:

1. We recommend that sales on commission be discontinued and that all State Liquor Stores be conducted on salaried basis.
2. We recommend that all liquor vendors be placed under bond with such bonds fixed at an amount that covers the needs of the situation.

3. The auditing of accounts of the board and liquor stores has heretofore been done by private auditing concerns under contract. We suggest that the Liquor Board investigate the feasibility of having this work done under the direction of the State Examiner as a matter of economy.

4. We recommend the extension of the powers of the Liquor Control Board so that a better enforcement of law is made possible and to that end there should be closer cooperation with the State Liquor Control Board by the Board of Equalization.

5. We recommend the business methods that were installed during the year just closed and the showing made financially. We are thoroughly convinced that the best method of regulating the liquor traffic is by the continuation of the present state control system.

COMMITTEE APPOINTED UNDER HOUSE RESOLUTION NO. 4.

MONAHAN, Chairman,
BALLARD,
O'BRIEN,
STEVENS,
FOOR,
HAMILTON,
HEDDEN.

Mr. Speaker: We, your Second Conference Committee on Substitute House Bill No. 204, having had under consideration Substitute House Bill No. 204, as amended, entitled: "An Act to amend Sections 12102 and 12103, Revised Codes of Montana, 1921, relating to punishment of death, how inflicted, providing for the use of lethal gas," respectfully report as follows: That Substitute House Bill No. 204 as amended, be concurred in.

COOPER,
COBURN,
O'DAY,

For the Senate.

STEVENS,
SHERMAN,
EGAN,

For the House.

STATEMENT

This leaves Helena as the place for location of lethal gas chamber.
STEVENS.

It was moved by Stevens, duly seconded, that the report of the Conference Committee on Senate amendments to Substitute House Bill No. 204 be adopted. Motion was lost by the following vote:

Ayes: Anderson, Bertsche, Boone, Brennan, Byrne, Conner, Connors, Emmett, Emmons, Ewing, Foor, Goodwin, Gray, Hamilton, Heavlin, Hedden, Holding, Hinerman, Joffray, Lasby, Leavitt, McCausland, McLaughlin, Masterson, Mitchell, Mulholland, Neary, O'Byrne, Parker, Peterson (Gallatin), Quigley, Ritch, Ryan, Sherman, Southmayd, Spiegel, Stevens, Stromnes, Toomey, White (Hill). Total 40.

Noes: Ahlgreen, Balgord, Ballard, Burris, Buttelman, Chamberlain, Coultas, Doe, Ecton, Gordon, Green (Dawson), Groene (Fergus), Hall, Harwood, Haugan, Johnson, Kathan, Kelly, Kuhl, Liggett, Logan, Lott, Lovell, Manning, Miller (Roosevelt), Miller (Big Horn), Moss, Mundy, O'Connor, Padbury, Petersen (Sheridan), Scofield, Sexton, Smith, Stimatz, Watson, Whaley, Worden, York, Mr. Speaker. Total 40.

Absent and not voting: Acher, Busch, Chapman, Cusick, Egan, Fowler, Haight, Harlen, Kruse, Leary, Lemmer, Lippard, Metlen, Minette, Monahan, Nelson, Nutting, O'Brien, Ormsbee, Peterson (Valley), Rolph, White (Judith Basin). Total 22.

The Speaker: Forty have voted "aye"; forty have voted "no"; Conference Committee report on Senate amendments to Substitute House Bill No. 204 has been rejected.

It was moved by Burris, duly seconded, that the House reconsider its action on the rejection of the report of the Conference Committee on Senate amendments to House Bill No. 204.

A call of the House was demanded by the required number.

On motion of Ritch, duly seconded and carried, call of the House was dispensed with.

A roll call was ordered and motion was carried by the following vote:

Ayes: Anderson, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Byrne, Chapman, Conner, Connors, Coultas, Doe, Ecton, Emmett, Emmons, Ewing, Goodwin, Gordon, Gray, Groene (Fergus), Haight, Hall, Hamilton, Harlen, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Lasby, Leavitt, Lemmer, Lippard, Lott, McCausland, McLaughlin, Manning, Masterson, Metlen, Minette, Mitchell, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, Parker, Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Sherman, Southmayd, Spiegel, Stevens, Toomey, Watson, White (Hill), Worden, Mr. Speaker. Total 66.

Noes: Ahlgreen, Balgord, Chamberlain, Egan, Foor, Green (Dawson), Harwood, Haugan, Kathan, Kelly, Kuhl, Liggett, Logan, Lovell, Miller (Roosevelt), Miller (Big Horn), O'Connor, Padbury, Petersen (Sheridan), Scofield, Sexton, Smith, Stimatz, Stromnes, York. Total 25.

Absent and not voting: Acher, Cusick, Fowler, Kruse, Leary, Monahan, Moss, Ormsbee, Ryan, Whaley, White (Judith Basin). Total 11.

The Speaker: Sixty-six have voted "aye"; twenty-five have voted "no"; motion by Burris to reconsider was carried.

Whereupon, roll call was again taken on Conference Committee report on Senate amendments to Substitute House Bill No. 204; report was rejected by the following vote:

Ayes: Anderson, Ballard, Bertsche, Boone, Brennan, Busch, Byrne, Chapman, Conner, Coultas, Doe, Emmett, Ewing, Goodwin, Gray, Groene (Fergus), Haight, Harlen, Heavlin, Hedden, Holding, Hinerman, Joffray, Johnson, Lasby, Leavitt, Lemmer, McCausland, McLaughlin, Masterson, Metlen, Minette, Mitchell, Mulholland, Neary, Nelson, Nutting, Parker, Peterson (Gallatin), Quigley, Ritch, Rolph, Sherman, Southmayd, Spiegel, Stevens, Toomey, White (Hill). Total 48.

Noes: Ahlgreen, Balgord, Burris, Buttelman, Chamberlain, Connors, Ecton, Egan, Emmons, Foor, Fowler, Gordon, Green (Dawson), Hall, Hamilton, Harwood, Haugan, Kathan, Kelly, Kruse, Liggett, Lippard, Logan, Lott, Lovell, Manning, Miller (Roosevelt), Miller (Big Horn), Monahan, Moss, Mundy, Kuhl, O'Brien, O'Byrne, O'Connor, Padbury, Petersen (Sheridan), Peterson (Valley), Ryan, Scofield, Sexton, Smith, Stimatz, Watson, Whaley, Worden, York, Mr. Speaker. Total 48.

Absent and not voting: Acher, Cusick, Leary, Ormsbee, Stromnes, White (Judith Basin). Total 6.

The Speaker: Forty-eight have voted "aye"; forty-eight have voted "no"; Conference Committee report on Senate amendments to Substitute House Bill No. 204 has been rejected by the House.

It was moved by Groene of Fergus that a new Conference Committee be appointed on Senate amendments to Substitute House Bill No. 204.

It was moved by Harlen, duly seconded, that whereas the Conference Committee could not agree on House amendments to Senate Bill No. 153, that no further Conference Committee be appointed and further consideration on House amendments to Senate Bill No. 153 be indefinitely postponed.

On substitute motion, it was moved by Byrne, duly seconded and carried, that a new Conference Committee be appointed to consider House amendments to Senate Bill No. 153.

The Speaker appointed Brennan, Lovell and Byrne as the new Conference Committee on House amendments to Senate Bill No. 153.

The Speaker appointed Bertsche, Logan and Padbury as the new Conference Committee on Senate amendments to Substitute House Bill No. 204.

Mr. Speaker: We, your Joint Conference Committee, having had under consideration Senate amendments to House Bill No. 233, respectfully report and recommend as follows:

That Senate Committee of the Whole amendment to Section 1, inserted as a paragraph following line 33 of the printed bill, be amended to read as follows:

"provided, however, any person, firm, corporation, co-partnership or association, either domestic or foreign, upon which any license fee is imposed under this Act, shall have the right to offset against each license fee the taxes paid by such licensee upon the land and/or improvements thereon, owned and used by such licensee in the operation of said licensed store"; and that all other Senate amendments be concurred in, and as so amended that House Bill No. 233 be concurred in by the House and Senate.

ROLPH,
FOWLER,
BYRNE,

For the House.

SIMMONS,
HOLT,
THIEN,

For the Senate.

It was moved by Rolph, duly seconded, that the report be adopted.

A call of the House was demanded by the required number. On motion of Emmons, further call of the House was dispensed with.

On substitute motion, it was moved by Stromnes, duly seconded, that the report of the Conference Committee be not adopted and a new Conference Committee be appointed and a like committee be requested from the Senate. Motion was lost.

On substitute motion, it was moved by Doe, duly seconded, that the report of the Conference Committee be indefinitely postponed. Motion was lost.

On substitute motion, it was moved by Groene of Fergus that the House recess. Motion was lost.

Whereupon, on roll call, motion by Rolph, to adopt the Conference Committee report on Senate amendments to House Bill No. 233, was carried by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Brennan, Burris, Busch, Buttelman, Chamberlain, Chapman, Conner, Coultas, Egan, Emmett, Em-

mons, Ewing, Foor, Fowler, Gray, Haight, Hall, Harlen, Haugan, Holding, Hinerman, Johnson, Kathan, Kelly, Kruse, Kuhl, Lasby, Liggett, Lott, Lovell, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Nutting, O'Byrne, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Valley), Quigley, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Stimatz, Whaley, York, Mr. Speaker. Total 62.

Noes: Bertsche, Boone, Connors, Doe, Ecton, Gordon, Green (Dawson), Groene (Fergus), Hamilton, Harwood, Hedden, Lemmer, Lippard, Logan, McCausland, McLaughlin, Metlen, Minette, Mundy, Neary, Nelson, O'Brien, Peterson (Gallatin), Ritch, Stromnes, Toomey, Watson, White (Hill), Worden. Total 29.

Absent and not voting: Acher, Byrne, Cusick, Goodwin, Heavlin, Joffray, Leary, Leavitt, Ormsbee, Rolph, White (Judith Basin). Total 11.

The Speaker: Sixty-two have voted "aye"; twenty-nine have voted "no"; Conference Committee report on Senate amendments to House Bill No. 233 has been adopted by the House.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and bills are herewith returned to the House:

H. B. No. 25, by Smith.

H. B. No. 275, by Appropriations Committee.

H. B. No. 540, by Appropriations Committee.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended by the Senate, title and history agreed to, and bills are herewith returned to the House for concurrence in the Senate amendments:

H. B. No. 152, by Committee on Water Conservation and Flood Control.

H. B. No. 366, by Boone.

H. B. No. 377, by Goodwin and Lott.

H. B. No. 489, by Appropriations Committee.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day recommended H. B. No. 20 for non-concurrence, and bill is herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

House recessed, subject to the call of the Chair.

House resumed. Mr. Speaker in the Chair.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

CONSIDERATION OF GENERAL ORDERS

Chapman in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration Business on General Orders, recommend the following:

That Senate amendments to House Bill No. 152 be concurred in.

That Senate amendments to House Bill No. 366 be concurred in.

That Senate amendments to House Bill No. 377 be not concurred in and that a Conference Committee be appointed and a like committee be requested from the Senate.

That House Bill No. 489 be referred to the Appropriations Committee.

That the Chief Clerk be instructed to correct the history on House Bill No. 490.

That Senate Joint Resolution No. 6 be passed temporarily.

CHAPMAN, Chairman.

On motion of Chapman, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR
AND THE SENATE

It was moved by Byrne, duly seconded and carried, that the messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration Business on General File, respectfully report and recommend as follows:

That H. B. Nos. 25, 152, 540, 275 and 377 be concurred in.

That H. B. No. 366 be amended in Section 4 by striking out in line 5 the figures, "\$1500," and inserting in lieu thereof the figures, "\$2500."

Be amended in Section 7 by striking out in line 1 the figures, "\$1500," and inserting in lieu thereof the figures, "\$2500," and as amended, be concurred in.

That H. B. Nos. 489 and 490 be concurred in.

That consideration of H. B. No. 517 be passed for the time.

That H. B. No. 532 be amended in Section 2 by striking out in line 41 the words and figures, "Four Thousand Dollars (\$4,000.00)," and inserting in lieu thereof the words and figures, "Five Hundred Dollars (\$500.00)."

Be amended in Section 2 by striking out in lines 125 and 126 the words and figures, "Five Hundred Dollars (\$500.00)," and inserting in lieu thereof the words and figures, "Four Thousand Dollars (\$4,000.00)."

Be amended in Section 3 by striking out in line 42 the words and figures, "Four Thousand Dollars (\$4,000.00)," and inserting in lieu thereof the words and figures, "Five Hundred Dollars (\$500.00)."

Be amended in Section 3 by striking out in lines 112 and 113 the words and figures, "Five Hundred Dollars (\$500.00)," and inserting in lieu thereof the words and figures, "Four Thousand Dollars (\$4,000.00)," and as amended, be concurred in.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Enrolling: That S. B. Nos. 2, 53, 182, 191, 192, 207, 93 and 175 have been correctly enrolled and duly verified.

Finance and Claims: That H. B. No. 511 be concurred in. That H. B. No. 491 be amended as per the attached, and as amended, be concurred in.

Constitutional Amendments: That H. B. No. 20 be placed on Third Reading.

Enrolling: That S. B. Nos. 104, 68, 217, 132, Sub. 79, 146, 39, 213, 160, 91 and 169 have been correctly enrolled and duly verified.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Senate Committee on Finance and Claims amendments to H. B. No. 491:

Amend Section 2, page 2, printed bill, by inserting after line 32 the following words and figures, "For salaries not fixed by law and operating expenses for law enforcement, Ten Thousand Dollars (\$10,000.00)."

Amend Section 2, page 3, line 60, printed bill, by striking out the words and figures, "Fifty-one Hundred Dollars (\$5,100.00)," and inserting in lieu thereof the words and figures, "Seventy-one Hundred Dollars (\$7,100.00)."

Amend Section 2, page 3, line 61, printed bill, by striking out the words and figures, "Six Thousand and Twenty-five Dollars (\$6,025.00)," and inserting in lieu thereof the words and figures, "Six Thousand Seven Hundred Twenty-five Dollars (\$6,725.00)."

Amend Section 2, line 78, page 4, printed bill, by striking out the words and figures, "Seventy-five Hundred Dollars (\$7,500.00)," and inserting in lieu thereof the words and figures, "Five Thousand Dollars (\$5,000.00)."

Amend Section 2, line 79, page 4, printed bill, by striking out the words and figures, "Twenty-one Hundred Dollars (\$2,100.00)," and inserting in lieu thereof the words and figures, "Fourteen Hundred Dollars (\$1,400.00)."

Amend Section 2, lines 102 and 103, page 4, printed bill, by striking out the words and figures, "Twenty-one Thousand Three Hundred Sixty-seven Dollars (\$21,367.00)," and inserting in lieu thereof the words and figures, "Eighteen Thousand Nine Hundred Sixty-seven Dollars (\$18,967.00)."

Amend Section 2, line 105, page 5, printed bill, by striking out the words and figures, "Six Thousand Dollars (\$6,000.00)," and inserting in lieu thereof the words and figures, "Four Thousand Dollars (\$4000)."

Amend Section 2, line 107, page 5, printed bill, by striking out the words and figures, "Thirty Thousand Dollars (\$30,000.00)," and inserting in lieu thereof the words and figures, "Five Thousand Dollars (\$5000.00)."

Amend Section 2, lines 108 and 109, page 5, printed bill, by striking out the words and figures, "Twenty Thousand Dollars (\$20,000.00)," and inserting in lieu thereof, "Ten Thousand Dollars (\$10,000.00)."

Amend Section 2, line 118, page 5, printed bill, by striking out the words and figures, "Four Thousand Four Hundred Dollars (\$4,400.00)," and inserting in lieu thereof the words and figures, "Three Thousand Nine Hundred Dollars (\$3,900.00)."

Amend Section 3, line 57, page 7, printed bill, by striking out the words and figures, "Fifty-one Hundred Dollars (\$5,100.00)," and inserting in lieu thereof the words and figures, "Sixty-six Hundred Dollars (\$6,600.00)."

Amend Section 3, line 58, page 7, printed bill, by striking out the words and figures, "Six Thousand and Twenty-five Dollars (\$6,025.00)," and inserting in lieu thereof the words and figures, "Six Thousand Five Hundred and Twenty-five Dollars (\$6,525.00)."

Amend Section 3, line 76, page 7, printed bill, by striking out the words and figures, "Seventy-five Hundred Dollars (\$7,500.00)," and inserting in lieu thereof the words and figures, "Five Thousand Dollars (\$5,000.00)."

Amend Section 3, line 77, page 7, printed bill, by striking out the words and figures, "Twenty-one Hundred Dollars (\$2,100.00)," and inserting in lieu thereof the words and figures, "Fourteen Hundred Dollars (\$1400.00)."

Amend Section 3, lines 100 and 101 of page 8, printed bill, by striking out the words and figures, "Twenty-one Thousand Three Hundred Sixty-seven Dollars (\$21,367.00)," and inserting in lieu thereof the words and figures, "Eighteen Thousand Nine Hundred Sixty-seven Dollars (\$18,967.00)."

Amend Section 3, line 103, page 8, printed bill, by striking out the words and figures, "Six Thousand Dollars (\$6,000.00)," and in lieu thereof inserting the words and figures, "Four Thousand Dollars (\$4000)."

Amend Section 3, line 112, page 8, printed bill, by striking out the words and figures, "Four Thousand Four Hundred Dollars (\$4,400.00)," and inserting in lieu thereof the words and figures "Three Thousand Nine Hundred Dollars (\$3,900.00)."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Employment, submit the following report of employees for post-session work:

Chief Clerk's Office for the period of 15 days:

Chief Clerk	John J. Jewell
Assistant Chief Clerk	James Stafford
Secretary to Chief Clerk	Paul Van Dyke
Stenographer	Goldie Johnson
Bill Clerk	Ray Campbell

Journal Clerk for the period of 15 days:

Journal Clerk	Hilda Richeson
Assistant Journal Clerk	Genevieve Smith
Stenographer	Gale Fleischman
Stenographer	Madeline Shea—10 days
Stenographer	Josephine Kovacich—10 days

Sergeant-at-Arms for the period of 15 days:

Sergeant-at-Arms	Horace Casey
Assistant Sergeant-at-Arms	W. L. Cain—10 days
Clerk	C. D. Grafft—10 days
Stenographer	Helen Mullane—10 days
Janitors for four days	Dan McKittrick, Claude Hewitt

MASTERTON, Chairman.

Without objection, report adopted

THIRD READING OF HOUSE BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows:

Senate amendments to House Bill No. 152, were concurred in as follows:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Boone, Busch, Buttelman, Chamberlain, Chapman, Conner, Connors, Doe, Egan, Emmett, Emmons, Ewing, Goodwin, Gordon, Green (Dawson), Hall, Harlen, Haugan, Hedden, Holding, Hinerman, Johnson, Kathan, Kuhl, Lasby, Leary, Leavitt, Lemmer, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Miller (Roosevelt), Mitchell, Monahan, Mulholland, Mundy, Neary, Nelson, Nutting, O'Byrne, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Scofield, Sexton, Sherman, Smith, Spiegel, Stevens, Stimatz, Toomey, White (Judith Basin), White (Hill), Worden, Mr. Speaker. Total 66.

Noes: Haight.

Absent and not voting: Ballard, Brennan, Burris, Byrne, Coultas, Cusick, Ecton, Foor, Fowler, Gray, Groene (Fergus), Hamilton, Harwood, Heavlin, Joffray, Kelly, Kruse, Liggett, Manning, Masterson, Metlen, Miller (Big Horn), Minette, Moss, O'Brien, O'Connor, Parker, Ritch, Rolph, Ryan, Southmayd, Stromnes, Watson, Whaley, York. Total 35.

The Speaker: Sixty-six have voted "aye," one has voted "no"; Senate amendments to House Bill No. 152 have been concurred in by the House.

Senate amendments to House Bill No. 366 were concurred in by the following vote:

Ayes: Acher, Ahlgreen, Anderson, Balgord, Bertsche, Boone, Busch, Buttelman, Chamberlain, Chapman, Conner, Doe, Egan, Emmett, Emmons, Foor, Fowler, Goodwin, Gordon, Hall, Harlen, Hedden, Hinerman, Johnson, Kathan, Lasby, Leary, Leavitt, Lemmer, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Mundy, Neary, Nutting, O'Byrne, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ryan, Scofield, Sherman, Spiegel, Stevens, Stimatz, White (Hill), Worden, Mr. Speaker. Total 59.

Noes: Green (Dawson), Haight, Haugan, Holding, Lippard, Sexton, Smith. Total 7.

Absent and not voting: Ballard, Brennan, Burris, Byrne, Connors, Coultas, Cusick, Ecton, Ewing, Gray, Groene (Fergus), Hamilton, Harwood, Heavlin, Joffray, Kelly, Kruse, Kuhl, Liggett, Masterson, Metlen, Minette, Moss, Nelson, O'Brien, O'Connor, Parker, Ritch, Rolph, Southmayd, Stromnes, Toomey, Watson, Whaley, White (Judith Basin), York. Total 36.

The Speaker: Fifty-nine have voted "aye," seven have voted "no"; Senate amendments to House Bill No. 366 have been concurred in by the House.

The Speaker announced the following as a Conference Committee on Senate amendments to House Bill No. 377, Goodwin, Lemmer and Lott.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate amendments to House Bill No. 489, entitled: "An Act to appropriate money for the operation, maintenance and other purposes, as designated herein, for certain of the state's institutions, for

the period beginning July 1, 1935, and ending June 30, 1937," respectfully report as follows: That Senate amendments to House Bill No. 489 be concurred in.

FOWLER, Chairman.

On motion of Fowler, report on Senate amendments to House Bill No. 489 was adopted by the House.

THIRD READING OF HOUSE BILLS

Senate amendments to House Bill No. 489, having been read three several times, were concurred in by the following vote:

Ayes: Acher, Ahlgreen, Balgord, Bertsche, Boone, Busch, Buttelman, Byrne, Chamberlain, Conner, Doe, Egan, Ewing, Foor, Gordon, Green (Dawson), Haight, Harlen, Harwood, Haugan, Hedden, Holding, Joffray, Johnson, Kathan, Kuhl, Lasby, Leary, Leavitt, Lemmer, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Monahan, Moss, Mundy, Neary, Nelson, Nutting, O'Byrne, Ormsbee, Padbury, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Scofield, Smith, Toomey, Watson, White (Judith Basin), White (Hill), Worden, York, Mr. Speaker. Total 63.

Noes: Burris, Emmett, Emmons, Mitchell, Mulholland, Ryan, Sherman, Southmayd, Spiegel, Stevens, Stimatz. Total 11.

Absent and not voting: Anderson, Ballard, Brennan, Chapman, Connors, Coultas, Cusick, Ecton, Fowler, Goodwin, Gray, Groene (Fergus), Hall, Hamilton, Heavlin, Hinerman, Kelly, Kruse, Liggett, Metlen, Minette, O'Brien, O'Connor, Parker, Ritch, Sexton, Stromnes, Whaley. Total 28.

The Speaker: Sixty-three have voted "aye," eleven have voted "no"; Senate amendments to House Bill No. 489, have been concurred in by the House.

MOTIONS AND RESOLUTIONS

It was moved by Fowier, duly seconded, that the House reconsider its action taken yesterday, whereby the report of the committee appointed to investigate the public utilities and newspapers was not approved.

A call of the House was demanded by the required number.

On motion, further call of the House was dispensed with.

A roll call was ordered and the motion, for reconsideration, was lost by the following vote:

Ayes: Ahlgreen, Anderson, Ballard, Brennan, Burris, Chamberlain, Chapman, Conner, Connors, Egan, Emmett, Emmons, Fowler, Gordon, Holding, Hinerman, Kathan, Kuhl, Lasby, Leary, Lippard, Lott, Manning, Masterson, Miller (Roosevelt), Mitchell, Monahan, Mulholland, Neary, O'Brien, O'Byrne, Ormsbee, Petersen (Sheridan), Peterson (Valley), Rolph, Ryan, Sexton, Sherman, Spiegel, Stimatz, Whaley, York, Mr. Speaker. Total 43.

Noes: Acher, Balgord, Bertsche, Boone, Busch, Buttelman, Byrne, Coultas, Doe, Ewing, Goodwin, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Harlen, Harwood, Haugan, Hedden, Joffray, Johnson, Kelly, Kruse, Leavitt, Lemmer, Liggett, Logan, Lovell, McCausland, McLaughlin, Metlen, Miller (Big Horn), Minette, Moss, Mundy, Nelson, Nutting, Padbury, Parker, Peterson (Gallatin), Quigley, Scofield, Southmayd, Stevens, Stromnes, Toomey, Watson, White (Judith Basin), White (Hill), Worden. Total 51.

Absent and not voting: Cusick, Ecton, Hamilton, Heavlin, O'Connor, Ritch, Smith. Total 7.

The following passed his vote: Floor.

The Speaker: Forty-three have voted "aye," fifty-one have voted "no"; the motion was lost.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 25, 275, 449 and 364.

MONAHAN, Chairman.

I have read House Bill No. 25, as reported from the Enrolling Committee and certify same to be correct.

SMITH.

I have read House Bill No. 275, as reported from the Enrolling Committee and certify same to be correct.

FOWLER.

I have read House Bill No. 449, as reported from the Enrolling Committee and certify same to be correct.

ROLPH.

I have read House Bill No. 364, as reported from the Enrolling Committee and certify same to be correct.

ORMSBEE.

The Speaker announced he was about to sign House Bill No. 25, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 275, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 449, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 364, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The following request was granted, on motion of Metlen:

Mr. Speaker: We, your Conference Committee, appointed to consider Senate amendments to House Bills Nos. 397 and 478, cannot agree and ask to be discharged and that a new committee be appointed.

METLEN, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 507 and 508.

EWING, Chairman.

Without objection, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND
THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Joint Conference Committee from the Senate on House Bills 397 and 478, this day reported that said committee could not agree and asked to be discharged and a new committee appointed; whereupon, the President appointed Senators Harris, Metlen and Wass to act as such Conference Committee from the Senate, and the House is hereby requested to appoint a like committee to confer with the Senate Committee.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, as amended by the Senate, title and history agreed to, and bills are herewith returned to the House for concurrence in the Senate amendments:

H. B. No. 511.

H. B. No. 532.

H. B. No. 533.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President this day, on motion, and at the request of the House, appointed the following Senators to act as Conference Committees with like committees from the House:

For consideration of Senate amendments to H. B. No. 511: Campbell, Parkin, Melton.

For consideration of Senate amendments to H. B. No. 532: Larson, Sullivan, Plank.

On motion, Senator Wass was excused from acting on Conference Committee for the consideration of House Bills Nos. 397 and 487, and the President, on motion, appointed Kelsey in place of Wass.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

The Speaker appointed Miller of Big Horn, Masterson and Chapman, as Conference Committee on Senate amendments to House Bills Nos. 397 and 478.

The Speaker appointed Burris, Toomey, Brennan, Moss, and the Speaker as the committee to act on resolution adopted, introduced by Toomey, to find ways and means to facilitate legislation in the House.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Conference Committee appointed to consider Senate amendments to House Bill No. 3, respectfully report that we cannot agree.

Recommend that further consideration of Senate Substitute for Senate Substitute for House Bill No. 3 be indefinitely postponed.

SHANNON,
OLIVER,
KALBERG,

For the Senate.

HARLEN,
GROENE of Fergus,
LEAVITT,

For the House.

On motion of Leavitt, report adopted.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

CONSIDERATION OF GENERAL ORDERS

Ritch of Fergus in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration Business on General Orders, recommend the following:

That Senate Joint Resolution No. 6 be not concurred in.

That Senate amendments to House Bill No. 511 be not concurred in and that a Conference Committee be appointed and a like committee be requested from the Senate.

That Senate amendments to House Bill No. 532 be not concurred in and that a Conference Committee be appointed and a like committee be requested from the Senate.

That Senate Amendments to House Bill No. 533 be concurred in.

RITCH, Chairman.

On motion of Ritch, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Moss, duly seconded and carried, that the House reconsider its action on the adoption of the Conference Committee report on Senate Amendments to House Bill No. 233.

It was moved by Moss, duly seconded and carried, that a new Conference Committee be appointed for further consideration of Senate amendments to House Bill No. 233 and a like committee requested from the Senate.

It was moved by Mulholland, duly seconded and carried, that the House employees be paid for Sundays for which the payment had been withheld.

It was moved by Minette, duly seconded and carried, that another member be appointed on the Conference Committee on Senate amendments to House Bill No. 419, to take the place of Kruse who has withdrawn.

RESOLUTION

By the House of Representatives of the Twenty-fourth Legislative Assembly of the State of Montana.

Whereas, under and by virtue of due and regular proceedings had and accomplished in the House of Representatives of the Twenty-fourth Legislative Assembly of the State of Montana, a committee was appointed for the purpose of investigating into the acts and office of one Thomas Carey,

who is now and since January, 1933, has been, duly elected, qualified and acting member of the Board of Railroad Commissioners of the State of Montana; and,

The committee so appointed has made inquiry as provided and directed by this House and has returned to this House a report containing the evidence adduced before it and its findings upon such investigation, all of which has been considered at length and in detail by the House; and,

It plainly appearing to this House from such report that the so-called Carey case has, in one form or another, continued and been pending in the District Court of the First Judicial District of the State of Montana in and for Lewis and Clark County since October, 1934, and in inferior justice courts of Helena Township, and that the fact that this assembly would convene in January, 1935, has tended to create a disposition on the part of the law enforcement officers of the state to pass said case to the Legislature for attention, instead of dealing with it vigorously in the forum established for such purpose; and,

That the said Thomas Carey, as a member of the Board of Railroad Commissioners, is not an officer named in the Constitution of the State of Montana, and as indicated by the Supreme Court of the State of Montana in the decision of State ex rel Working vs. Mayor, 43 Mont., 61, the right of the House of Representatives to sustain an impeachment of the said officer might be in question; and,

That the said Thomas Carey, as a member of the Board of Railroad Commissioners of the State of Montana is ex officio a member of the Public Service Commission of the State of Montana and various other agencies; and,

It further plainly appearing that probable cause exists (1) for the prosecution of Thomas Carey for alleged lewd and lascivious acts with minors of the male sex, and (2) for the removal of Thomas Carey for willful neglect of his duties as a member of the Board of Railroad Commissioners of the State of Montana, under the summary removal statute; and, also for misfeasance and incompetence; and,

That this House, after its deliberation on such matters, adopted the following motion:

"That a select committee of five members be appointed by the Speaker to draft resolutions, based on the finding of this committee and the Special Committee which investigated the Railroad Commission, said resolutions to be directed to the Attorney General of the State of Montana, asking the Attorney General to at once exert the authority of his office to effect the removal of Thomas Carey from the office of Railroad Commissioner for misfeasance, incompetence and neglect of official duty."

Now, therefore, pursuant to said motion, Be It Resolved by the House of Representatives of the Twenty-fourth Legislative Assembly of the State of Montana that said House does hereby request and direct the Honorable, the Attorney General of the State of Montana, forthwith to employ the full power and resources of his office and authority to press vigorously and with all possible dispatch (1) the prosecution of Thomas Carey for alleged lewd and lascivious acts with minor males under information or complaints now filed, or to be filed by him or others, and (2) forthwith to exert the full power and resources of his office to effect the removal of Thomas Carey from the office of member of the Board of Railroad Commissioners of the State of Montana.

Be It Further Resolved: That the Chief Clerk of this House shall forthwith transmit said reports and all exhibits accompanying the same,

and the complete record of this House and its said several committees to the Attorney General of Montana, together with a duly authenticated copy of this resolution.

On motion of Byrne, resolution adopted.

On motion of Rolph, the following Resolution was adopted:

Mr. Speaker and Members of the House of Representatives:

We, your Committee on Revenue and Taxation, having determined to bring to the attention of the House of Representatives the condition existing in the State Board of Equalization of the State of Montana and its administration of the tax laws in the state, beg leave to report as follows:

The State Board of Equalization created by Article XII of the Constitution in 1922, possesses, pursuant to constitutional mandate and legislative act, ample authority, if properly utilized and thoroughly administered, not only to supervise the tax system of the state, but to perform services of the greatest importance and value to the people as a whole and to the Legislative Assembly in particular.

Notwithstanding that said Board is vested with such complete and plenary power, it appears that said Board of Equalization is not functioning to the full extent of its powers in the public interest. The records of its office show that its meetings are not conducted with the formality required by law and necessary to the proper transaction of public business. Testimony of witnesses is not preserved, minutes are fragmentary, and in many cases meaningless. No principles of taxation have been established. Decisions of the Board are evidenced mostly by letters in the correspondence file. These decisions should be written up at length and permanently recorded so as to be available for public use.

Particularly the Board is not exercising the powers and carrying out the duties imposed upon it by Section 8 of Chapter 3, Session Laws of 1923, which provides in part as follows:

"(16). To investigate the tax systems of other states and countries and to formulate and recommend legislation for the better administration of the fiscal laws so as to secure just and equal taxation and improvement in the system of taxation and the economical expenditure of public revenue in the state."

These statutory mandates are plain and unequivocal. An alert and industrious Board, diligently endeavoring to follow the law, should have assembled and ready for use, the material contemplated in such sections. As near as we can ascertain, the only attempt made to comply with these mandates, is the brief biennial report, the contents of which are in most instances not informative because of lack of explanation and analysis by the Board.

Based upon the foregoing findings, we commend for the consideration and adoption by the House of Representatives the above report and the following Resolution:

Resolved that said Board of Equalization be, and is hereby instructed and directed to furnish to the next Legislative Assembly, whether regular or special, the data required by subsections (16) and (18) of Section 8 of Chapter 3, Session Laws of 1923, together with recommendations by the Board for improvement in the system of taxation. The Board is also hereby instructed to formulate for the consideration of the Legislative Assembly, specific measures looking toward the improvement and modernization of the tax structure. The House of Representatives by the adoption of this Resolution, censures said Board of Equalization and calls upon it thoroughly to overhaul and reform its practices and methods, in conformity with

the law and to perform its duties with energy, with the understanding that if there is not a marked improvement in the coming biennium, such action is recommended to the Twenty-fifth Legislative Assembly, as may be appropriate to eliminate the evils complained of and correct the personnel of said Board in accordance with the statute which requires that the members be experienced and skilled in matters of taxation.

The Clerk was instructed to send a copy of above Resolution to the State Board of Equalization.

The Speaker appointed Hedden, Rolph, and Foor as Conference Committee on Senate Amendments to House Bill No. 511.

THIRD READING OF HOUSE BILLS

Senate amendments to House Bill No. 533, were concurred in by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Buttelman, Chamberlain, Chapman, Conner, Connors, Coultas, Emmett, Emmons, Ewing, Foor, Fowler, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Haugan, Hedden, Holding, Hinerman, Johnson, Kathan, Kuhl, Lasby, Leavitt, Lemmer, Lippard, Liggett, Logan, Lott, Lovell, McLaughlin, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Monahan, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Toomey, Watson, White (Hill), Worden, York, Mr. Speaker. Total 80.

Noes: None.

Absent and not voting: Acher, Brennan, Burris, Busch, Byrne, Cusick, Doe, Ecton, Egan, Harwood, Heavlin, Joffray, Kelly, Kruse, Leary, McCausland, Manning, Metlen, Stimatz, Stromnes, Whaley, White (Judith Basin). Total 22.

The Speaker: Eighty have voted "aye"; none have voted "no"; Senate amendments to House Bill No. 533, have been concurred in by the House.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled:

H. B. No. 152.
H. B. No. 474.
H. B. No. 489.
H. B. No. 540.
H. B. No. 490.
H. B. No. 366.

MONAHAN, Chairman.

Without objection, report adopted.

I have read House Bill No. 490, as reported from the Enrolling Committee and certify same to be correct.

FOWLER.

I have read House Bill No. 366, as reported from the Enrolling Committee and certify same to be correct.

BOONE.

I have read House Bill No. 152, as reported from the Enrolling Committee and certify same to be correct.

MANNING.

I have read House Bill No. 474, as reported from the Enrolling Committee and certify same to be correct.

BURRIS.

I have read House Bill No. 489, as reported from the Enrolling Committee and certify same to be correct.

FOWLER.

I have read House Bill No. 540, as reported from the Enrolling Committee and certify same to be correct.

FOWLER.

The Speaker announced he was about to sign House Bill No. 152, whereupon, the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 474, whereupon, the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 489, whereupon, the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 540, whereupon, the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 490, whereupon, the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 366, whereupon, the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker appointed, Chapman, O'Byrne, and Fowler, as Conference Committee on Senate amendments to House Bill No. 532.

House recessed at the call of the Chair.

House resumed. Mr. Speaker in the Chair.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Conference Committee on House amendments to Senate Bill No. 153, respectfully report as follows:

The Senate accedes to House amendments to the title of the bill.

It is agreed by all members of the Joint Conference Committee that House amendments to Senate Bill No. 153 be amended in Section 1 by striking out in Section 1 the word, "conventional" and inserting in lieu thereof the word, "social".

The Senate accedes to House amendments to Senate Bill No. 153, as amended by the Conference Committee.

BYRNE,
BRENNAN,
LOVELL,

For the House.

BENJAMIN,
KELSEY,
ANDERSON,

For the Senate.

It was moved by Byrne, duly seconded, that the report of the Conference Committee on House amendments to Senate Bill No. 153 be adopted.

On substitute motion, it was moved by Burris, duly seconded, that the report be tabled.

A call of the House was demanded by the required number.

On motion of Mitchell, further call of the House was dispensed with.

A roll call was ordered and motion by Burris was lost by the following vote:

Ayes: Ballard, Bertsche, Boone, Burris, Chapman, Doe, Goodwin, Groene (Fergus), Hamilton, Harlen, Holding, Hinerman, Kelly, Lemmer, Lippard, Lovell, Minette, Mitchell, Monahan, Mulholland, Mundy, O'Brien, O'Connor, Ryan, Spiegel, Stromnes, Toomey. Total 27.

Noes: Ahlgreen, Anderson, Balgord, Brennan, Buttelman, Byrne, Chamberlain, Conner, Coultas, Egan, Ewing, Foor, Gordon, Gray, Green (Dawson), Haight, Hall, Harwood, Haugan, Hedden, Johnson, Kathan, Kuhl, Lasby, Leary, Leavitt, Liggett, Logan, Lott, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Moss, Nelson, Nutting, O'Byrne, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Scofield, Sexton, Sherman, Stevens, Stimatz, Watson, White (Hill), Worden, Mr. Speaker. Total 54.

Absent and not voting: Acher, Busch, Connors, Cusick, Ecton, Emmett, Emmons, Fowler, Heavlin, Joffray, Kruse, Neary, Ormsbee, Quigley, Ritch, Rolph, Smith, Southmayd, Whaley, White (Judith Basin), York. Total 21.

The Speaker: Twenty-seven have voted "aye"; fifty-four have voted "no"; the motion is lost.

Whereupon, motion was put to adopt report of the Conference Committee report on House amendments to Senate Bill No. 153 and carried by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Buttelman, Byrne, Chamberlain, Conner, Coultas, Egan, Foor, Gordon, Gray, Green (Dawson), Haight, Hall, Harwood, Haugan, Hedden, Kathan, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, McCausland, McLaughlin, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Moss, Nelson, Nutting, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Scofield, Sexton, Sherman, Stevens, Stimatz, Stromnes, Watson, White (Hill), Worden. Total 57.

Noes: Burris, Chapman, Doe, Ewing, Goodwin, Groene (Fergus), Hamilton, Harlen, Hinerman, Kelly, Lovell, Metlen, Mitchell, Mulholland, Mundy, O'Brien, O'Byrne, O'Connor, Ryan, Spiegel, Toomey, Mr. Speaker. Total 22.

Absent and not voting: Acher, Busch, Connors, Cusick, Ecton, Emmett, Emmons, Fowler, Heavlin, Holding, Joffray, Johnson, Kruse, Monahan, Neary, Quigley, Ritch, Rolph, Smith, Southmayd, Whaley, White (Judith Basin), York. Total 23.

The Speaker: Fifty-seven have voted "aye"; twenty-two have voted "no"; Conference Committee report on House amendments to Senate Bill No. 153, has been adopted by the House.

Mr. Speaker: We, your Conference Committee of the House, appointed to consider the Senate amendment to House Bill No. 377, entitled: "An Act appropriating money for the payment of the reward claim of Mrs. J. McNally, as compensation for aiding the State of Montana in the apprehension of the Sheridan, Montana, bank robber by revealing information which led to the conviction", respectfully report that: The Conference Committee agrees to the Senate amendment to House Bill No. 377.

MEYER,
SIBBERT,
STEVENS,

For the Senate.

LOTT,
LEMMER,
GOODWIN,

For the House.

On motion of Lott, Conference Committee report on Senate amendments to House Bill No. 377, was adopted by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Buttelman, Byrne, Chamberlain, Chapman, Conner, Egan, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Harwood, Haugan, Holding, Hinerman, Johnson, Kathan, Kelly, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, McCausland, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Moss, Mulholland, Neary, Nutting, O'Brien, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ryan, Scofield, Sexton, Sherman, Stevens, Stimatz, Toomey, Watson, White (Hill), Worden, Mr. Speaker. Total 70.

Noes: None.

Absent and not voting: Acher, Burris, Busch, Connors, Coultas, Cusick, Doe, Ecton, Emmett, Emmons, Fowler, Heavlin, Hedden, Joffray, Kruse, Lovell, McLaughlin, Metlen, Monahan, Mundy, Nelson, O'Byrne, O'Connor, Ritch, Rolph, Smith, Southmayd, Spiegel, Stromnes, Whaley, White (Judith Basin), York. Total 32.

The Speaker: Seventy have voted "aye"; none have voted "no"; Conference Committee report on Senate amendments to House Bill No. 377, has been adopted by the House.

Mr. Speaker: We, your Conference Committee of the House and Senate, having had under consideration, House Bill No. 397, introduced by Gray and Toomey, Metlen and Buttelman, being a bill for an Act entitled: "An Act to create the Montana Grazing Commission, providing the membership thereof and for the appointment of a State Grazing Administrator; defining the powers and prescribing the duties of said commission, granting said commission authority to impose fees on grazing associations organized under the laws of the State of Montana, to defray the expenses of the said commission within the limits of this Act; providing for the administration of this Act, the powers and duties of said State Grazing Administrator, prescribing an annual report; providing for cooperation with the United States and the Director of Grazing under the Taylor Grazing Act"; respectfully beg leave to report as follows:

That the Senate recede from each and all of the amendments to said bill adopted by it on recommendation of its committee on Judiciary.

That Section 2 of the original bill be stricken therefrom and the following substituted therefor: "Section 2. There is hereby created the Montana Grazing Commission of the State of Montana hereafter called the Commission. The Montana Grazing Commission shall consist of a board of five (5) members who shall be appointed by the Governor as provided in this Act. The Governor shall select one (1) member from the Montana Wool Growers' Association; and one (1) member from the Montana Livestock Growers' Association; and one (1) member from the Board of County Commissioners' Association; and one (1) member from the Incorporated Grazing Association, under the laws of the State of Montana and one (1) member as a representative of the Director of Grazing under the Taylor Grazing Act (Public No. 482 U. S. Congress approved June 28, 1934).

Three (3) of such members so appointed by the Governor, shall serve for a term of one (1) year and two (2) of such members so appointed by the Governor, shall serve for a term of two (2) years and upon the expiration of said respective terms, all members thereafter shall be appointed under this Act, the length of their respective terms of office shall be determined by lot.

In the event of a vacancy or vacancies upon the commission, the Governor shall within sixty (60) days fill such vacancy from the group from which said vacancy shall occur.

The commission shall hold a regular meeting at Helena, at least once in each quarter period of the year, and such other meetings at any point in Montana as may be required in the conduct of the business of the commission, or as may be proper in the administration of this Act and related Acts."

MILLER of Big Horn,
CHAPMAN,
MASTERTON,

For the House.

HARRIS,
MELTON,
KELSEY,

For the Senate.

STATEMENT

The amendment changes the manner of appointment of the Commission as provided in the amendment.

MILLER of Big Horn.

On motion of Miller of Big Horn, Conference Committee report on Senate amendments to House Bill No. 397 was adopted by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Buttelman, Chamberlain, Chapman, Coultas, Doe, Egan, Ewing, Foor, Goodwin, Gray, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harlen, Harwood, Haugan, Hedden, Holding, Johnson, Kelly, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, McCausland, McLaughlin, Manning, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Moss, Mulholland, Mundy, Neary, Nelson, Nutting, O'Brien, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Stevens, Stimatz, Toomey, Watson, White (Hill), Mr. Speaker. Total 71.

Noes: Kathan, Mitchell. Total 2.

Absent and not voting: Acher, Burris, Busch, Byrne, Conner, Connors, Cusick, Ecton, Emmett, Emmons, Fowler, Gordon, Haight, Heavlin, Hinerman, Joffray, Kruse, Lovell, Masterson, Monahan, O'Byrne, Ritch, Roiph, Southmayd, Stromnes, Whaley, White (Judith Basin), Worden, York. Total 29.

The Speaker: Seventy-one have voted "aye"; two have voted "no"; Conference Committee report on Senate Amendments to House Bill No. 397 has been adopted by the House.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that, on request, Senator Page was excused from acting on the Conference Committee on House Bill No. 364, and the President named Senator Armstrong to act instead.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on roll call, adopted the report of the Joint Conference Committee on Senate amendments to House Bill No. 147.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on roll call, adopted the report of the Joint Conference Committee on House amendments to Senate Bill No. 153.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

The Speaker announced that Kathan was to replace Ecton, who is ill, on Conference Committee on House amendments to Senate Bill No. 84.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Conference Committee of the House and Senate, having had under consideration in conference, House Bill No. 478, introduced by Gray, Toomey, Metlen and Buttelman, being a bill for an Act entitled: "An Act to provide for the incorporation of grazing district associations to share in the conservation, restoration, improvement and the use of forage resources in the State of Montana; to authorize such associations to lease, purchase or otherwise acquire county or other lands for grazing purposes and to provide for the management and the use of such lands which will best conserve, restore, and improve the forage value thereof; providing for the approval of by-laws of such corporations, either heretofore existing or hereafter formed by the Montana Grazing Commission, making such Montana Grazing Commission the supervisory authority over cooperative grazing districts in Montana; providing for the fixing of fees for the administration of such district and for the administration of grazing districts under such associations and said Montana Grazing Commission, and to amend Chapter 66, Laws of the Twenty-third Legislative Assembly of the State of Montana, 1933." respectfully beg leave to report as follows: That the Senate recede from each and all of its amendments to said House Bill No. 478. That the said House Bill No. 478 be amended as follows: By striking out the word "repealed" in line 9 of Sec-

tion 13 of the original bill and inserting in lieu thereof the word "amend"; and by striking out the word "repeal" in line 10 of Section 13 of the original bill and inserting in lieu thereof, the word "amendment".

This Conference Committee is unanimous in this action.

MILLER of Big Horn,
MASTERSON,
CHAPMAN,

For the House.

HARRIS,
MELTON,
KELSEY,

For the Senate.

On motion of Miller of Big Horn, Conference Committee report on Senate amendments to House Bill No. 478 was adopted by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Buttelman, Chamberlain, Chapman, Conner, Coultas, Doe, Egan, Emmons, Ewing, Foor, Goodwin, Gordon, Gray, Green (Dawson), Groene (Fergus), Hall, Harwood, Haugan, Hedden, Holding, Hinerman, Johnson, Kelly, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Mulholland, Neary, Nelson, Nutting, O'Brien, O'Connor, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ryan, Scofield, Sexton, Sherman, Smith, Spiegel, Stevens, Stimatz, Stromnes, Toomey, Watson, White (Hill), Worden, Mr. Speaker. Total 74.

Noes: Hamilton, Kathan. Total 2.

Absent and not voting: Acher, Busch, Byrne, Connors, Cusick, Ecton, Emmett, Fowler, Haight, Harlen, Heavlin, Joffray, Kruse, Manning, Monahan, Moss, Mundy, O'Byrne, Ormsbee, Padbury, Ritch, Rolph, Southmayd, Whaley, White (Judith Basin), York. Total 26.

The Speaker: Seventy-four have voted "aye"; two have voted "no"; Conference Committee report on Senate amendments to House Bill No. 478, has been adopted by the House.

Mr. Speaker: We, your Conference Committee of the House and Senate, having had under consideration Senate amendments to House Bill No. 147, entitled: "An Act declaring the policy of the state establish a uniform system of free public schools, and providing state support therefor, and for the distribution thereof, creating the State Public School General Fund," respectfully report as follows: That House accept Senate Committee on Education amendments:

That Senate recede in Senate Committee of the Whole amendments.

Conference amend in Section 2, line 11, page 2 of the engrossed bill by striking out the word "five" and inserting in lieu thereof the word "ten". In Section 5, page 4, line 15 by striking out the word "five" and inserting in lieu thereof the word "ten."

Amend Section 2, page 3 by adding at the end of the section the following: "Provided that all classroom units shall share equally in the State Public School General Fund until said fund shall contain an amount sufficient to provide \$750.00 per classroom unit. When said fund shall exceed

such an amount it shall be apportioned on the basis as provided in subdivisions (a) and (b) of Section 1 of this Act."

And as amended, we recommend the same be concurred in.

PLANK,
MURPHY,
LAMP,

For the Senate.

ROLPH,
MOSS,
HAIGHT,

For the House.

On motion of Rolph, Conference Committee report on Senate amendments to House Bill No. 147 was adopted by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Bailard, Bertsche, Brennan, Burris, Busch, Buttelman, Chamberlain, Conner, Coultas, Egan, Foor, Goodwin, Gordon, Green (Dawson), Haight, Hall, Harwood, Haugan, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Minette, Mitchell, Moss, Mulholland, Mundy, Neary, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ryan, Scofield, Sherman, Spiegel, Stevens, Stimatz, Stromnes, Toomey, White (Hill), Mr. Speaker. Total 70.

Noes: Groene (Fergus), Padbury, Smith, Watson, Worden. Total 5.

Absent and not voting: Acher, Boone, Byrne, Chapman, Connors, Cusick, Doe, Ecton, Emmett, Emmons, Ewing, Fowler, Gray, Hamilton, Harlen, Heavlin, Joffray, Kruse, Monahan, Nelson, Ritch, Rolph, Sexton, Southmayd, Whaley, White (Judith Basin), York. Total 27.

The Speaker: Seventy have voted "aye"; five have voted "no"; Conference Committee report on Senate amendments to House Bill No. 147, has been adopted by the House.

MOTIONS AND RESOLUTIONS

It was moved by Moss, duly seconded and carried, that the House reconsider Sub. Senate Bill No. 26.

A call of the House was demanded by the required number.

On motion of O'Connor, further call of the House was dispensed with.

A roll call was ordered and motion by Moss was carried by the following vote:

Ayes: Anderson, Balgord, Ballard, Brennan, Busch, Buttelman, Byrne, Chamberlain, Conner, Coultas, Egan, Foor, Gordon, Green (Dawson), Hall, Harlen, Harwood, Haugan, Hedden, Holding, Johnson, Kathan, Kelly, Lasby, Lemmer, Liggett, Lippard, Lott, McLaughlin, Manning, Masterson, Miller, (Roosevelt), Miller (Big Horn), Moss, Mundy, Nutting, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Sexton, Sherman, Smith, Stevens, Toomey, Watson, White (Hill), Worden, Mr. Speaker. Total 51.

Noes: Ahlgreen, Burris, Chapman, Doe, Goodwin, Haight, Hinerman, Kuhl, Lovell, Mitchell, Monahan, Mulholland, O'Brien, O'Byrne, Ormsbee, Peterson (Valley), Rolph, Ryan, Scofield, Spiegel, Stimatz, Stromnes. Total 22.

Absent and not voting: Acher, Bertsche, Boone, Connors, Cusick, Ecton, Emmett, Emmons, Ewing, Fowler, Gray, Groene (Fergus), Hamilton,

Heavlin, Joffray, Kruse, Leary, Leavitt, Logan, McCausland, Metlen, Minette, Neary, Nelson, Ritch, Southmayd, Whaley, White (Judith Basin), York. Total 29.

The Speaker: Fifty-one have voted "aye"; twenty-two have voted "no"; motion is carried.

House recessed, subject to call of the Chair.

House resumed. Mr. Speaker in the Chair.

The Speaker announced he was about to sign Senate Joint Resolution No. 8, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Substitute Senate Bill No. 22, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 153, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and bills are herewith returned to the House:

House Bills Nos. 507 and 508.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day, read third time and concurred in as amended by the Senate, title and history agreed to, and bills are herewith returned to the House for concurrence in the Senate amendments:

H. B. No. 491.

H. B. No. 517.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion, the report of the Joint Conference Committee on Sub. S. B. No. 22 was this day adopted on roll call vote.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the report of the Joint Conference Committee on Sub. H. B. No. 204 was this day adopted by the Senate.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the report of the Joint Conference Committee on Senate amendments to H. B. No. 449 was this day adopted by the Senate.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Governor this day advised that he had approved Senate Bills Nos. 101, 109, 127, 151 and 155.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced in the Senate, read first and second time, and referred to committees:

H. B. No. 507, to Committee on Public Health and Sanitary Affairs.

H. B. No. 508, to Committee on Public Health and Sanitary Affairs.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President this day gave notice that he was about to sign, and did sign in open session: Senate Bills Nos. 182, 175, 207, 53, 191, 39, 2, 192, 93, 91, 213, 160, 146, Sub. 79, 132, 217, 68, 104, 169 and House Bills Nos. 14, 284 and 289.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

CONSIDERATION OF GENERAL ORDERS

McLaughlin of Ravalli in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That Senate amendments to House Bill No. 491 be not concurred in and that a Conference Committee be appointed and a like committee be requested from the Senate.

That Senate amendments to H. B. No. 517 be not concurred in and that a Conference Committee be appointed and a like committee be requested from the Senate.

McLAUGHLIN, Chairman.

On motion of McLaughlin, report adopted.

The Speaker appointed Manning, Rolph, and Smith as the Conference Committee on Senate amendments to House Bill No. 517.

The Speaker appointed Ormsbee, Fowler, and Peterson of Valley as the Conference Committee on Senate amendments to House Bill No. 491.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Conference Committee, having had under consideration Senate Committee of the Whole amendments to House Bill No. 419, respectfully report that we have been unable to come to an agreement and we therefore recommend that your committee be discharged and a new conference committee be appointed by the Senate to act with a like committee appointed by the House.

MINETTE, Chairman,
HAIGHT,
ORMSBEE,

On motion of Minette, report adopted.

The Speaker appointed Haight, Emmons and Lott as the new Conference Committee on Senate Amendments to House Bill No. 419.

Mr. Speaker: We, your Conference Committee having had under consideration House Bill No. 511, recommend the following:

That the Senate recedes from its amendments to House Bill No. 511.

CAMPBELL, Chairman.
PARKEN,
MELTON,

For the Senate.

HEDDEN,
ROLPH,
FOOR,

For the House.

On motion of Hedden, report of the Conference Committee on Senate amendments to House Bill No. 511, was adopted by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Buttelman, Chamberlain, Conner, Egan, Emmett, Emmons, Ewing, Foor, Gray, Haight, Hall, Harwood, Haugan, Hedden, Holding, Hinerman, Johnson, Kathan, Kelly, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Lott, McCausland, Manning, Miller (Roosevelt), Miller, (Big Horn), Minette, Mitchell, Monahan, Mulholland, Mundy, Nelson, Nutting, O'Brien, O'Byrne, Peterson (Gallatin), Peterson (Valley), Quigley, Ryan, Scofield, Sherman, Smith, Southmayd, Spiegel, Stevens, Toomey, Worden, York, Mr. Speaker. Total 62.

Noes: Green (Dawson), Stimatz, Stromnes. Total 3.

Absent and not voting: Acher, Byrne, Chapman, Connors, Coultas, Cusick, Doe, Ecton, Fowler, Goodwin, Gordon, Groene (Fergus), Hamilton, Harlen, Heavlin, Joffray, Kruse, Logan, Lovell, McLaughlin, Masterson, Metlen, Moss, Neary, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Ritch, Rolph, Sexton, Watson, Whaley, White (Judith Basin), White (Hill). Total 37.

The Speaker: Sixty-two have voted "aye"; three have voted "no"; Conference Committee report on Senate Amendments to House Bill No. 511 has been adopted by the House.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules, Joint Rules and Order of Business, having had under consideration a motion by Haight that House Rules be suspended for consideration under General Orders of House Bill No. 26, respectfully report as follows: Committee on Rules, Joint Rules and Order of Business recommend the motion be adopted.

BYRNE, Chairman.

On motion of Byrne, report adopted.

MOTIONS AND RESOLUTIONS

The following Resolution was adopted, on motion of Gray.

RESOLUTION INTRODUCED BY STROMNES AND GRAY

Whereas, the Twenty-fourth Legislative Assembly has, through inadvertence or otherwise, seen fit to enact into law House Bill No. 344 and it has heretofore been called to the attention of this Assembly that a grave question of law has been thereby created as to whether or not further prosecution of Tom Carey in the courts of this state can be had for certain alleged offenses:

And Whereas, the Twenty-fourth Legislative Assembly has heretofore seen fit to direct and instruct the Attorney General to vigorously prosecute the public official heretofore named under the laws possibly repealed by House Bill No. 344;

Now Therefore Be It Hereby Resolved that the Twenty-fourth Legislative Assembly request an opinion from the Attorney General of the State of Montana forthwith as to the legal effect of the passage and enactment into law of House Bill No. 344 for the purpose of guiding this Assembly in such other or further action, if any, which might be advisable in the premises.

And Be It Hereby Further Resolved that a copy of this Resolution be handed to the Attorney General instantly by messenger.

STROMNES,
GRAY.

It was moved by Minette, duly seconded and carried, that a Special Committee be appointed and a like committee requested from the Senate to see whether or not it wouldn't be possible to present before the two Houses a Highway Patrol Bill that would be satisfactory.

The following committee was appointed on the above motion. Minette, Brennan and O'Byrne.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

CONSIDERATION OF GENERAL ORDERS

Haight of Fergus in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That Senate Bill No. 26 be amended as follows: Amend Section 1 by striking all of Section 1 and inserting in lieu thereof the following:

"Section 1. There is hereby created a Montana Highway Patrol under the control and supervision of the Montana Highway Commission";

Amend Section 2 by striking out in line 3, the words "electing from among their membership a chairman and a secretary"; Amend Section 3 by striking out in line 8, after the word "years", the words "and shall have had at least two years military service or experience as a peace officer in the city police department or an organized governmental" and inserting in lieu thereof a period; Amend Section 12 by adding in line 13, after the word "highway," the words "patrol revolving"; Amend Section 7 by inserting in line 2 after the word "sections" the words "or other

provisions of the State Motor Vehicle Laws"; and as amended, be concurred in.

HAIGHT, Chairman.

It was moved by Haight, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by Burris, duly seconded, that the report of the Committee of the Whole be laid on the table.

A call of the House was demanded by the required number.

On motion of Stromnes, duly seconded, call of the House was dispensed with.

A roll call was ordered and motion by Burris failed by the following vote:

Ayes: Ballard, Burris, Chapman, Connors, Doe, Emmons, Groene (Fergus), Haight, Holding, Hinerman, Joffray, Kuhl, Leavitt, Lemmer, Miller (Big Horn), Mitchell, Mulholland, Mundy, Neary, Nelson, O'Brien, O'Byrne, Ormsbee, Peterson (Gallatin), Ryan, Scofield, Spiegel, Stimatz, Stromnes, White (Hill), Worden. Total 31.

Noes: Ahlgreen, Anderson, Balgord, Bertsche, Boone, Brennan, Busch, Byrne, Chamberlain, Conner, Coultas, Emmett, Ewing, Foor, Green (Dawson), Hall, Harwood, Haugan, Hedden, Johnson, Kathan, Kelly, Lasby, Leary, Liggett, Lippard, Logan, Lott, McCausland, Manning, Masterson, Metlen, Miller (Roosevelt), Minette, Monahan, Nutting, O'Connor, Padbury, Parker, Peterson (Valley), Quigley, Ritch, Sexton, Sherman, Smith, Southmayd, Stevens, Toomey, York, Mr. Speaker. Total 50.

Absent and not voting: Acher, Buttelman, Cusick, Ecton, Egan, Fowler, Goodwin, Gordon, Gray, Hamilton, Harlen, Heavlin, Kruse, Lovell, McLaughlin, Moss, Petersen (Sheridan), Rolph, Watson, Whaley, White (Judith Basin). Total 21.

The Speaker: Thirty-one have voted "aye"; fifty have voted "no"; the motion is lost.

Whereupon report of the Committee of the Whole was adopted.

It was moved by Brennan, duly seconded, that the House be on Order of Business No. 6.

A roll call was ordered.

On substitute motion, it was moved by Burris, duly seconded and carried, that the House recess for one hour.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Conference Committee, having had under consideration Senate Bill No. 84, entitled: "An Act to amend Section 65 of Chapter 60 of the Laws of the State of Montana of 1927, as amended by Chapter 28 of the Laws of the State of Montana of 1929, relating to mineral reservations in state lands, it being the purpose of this amendment to restore the said Section 65 to its original intent," respectfully report as follows: Strike out House amendment to Senate Bill No. 84.

BENJAMIN,
SPARLING,
KALBERG,

For the Senate.

BYRNE,
KATHAN,
MASTERSON,

For the House.

On motion of Byrne, duly seconded, Conference Committee report on House Amendments to Senate Bill No. 84 was adopted by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Bertsche, Boone, Brennan, Byrne, Chamberlain, Emmett, Emmons, Foor, Gray, Green (Dawson), Groene (Fergus), Haight, Hall, Hamilton, Harlen, Hedden, Hinerman, Joffray, Kathan, Kelly, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lip-pard, Logan, Lott, Lovell, McCausland, Masterson, Miller (Roosevelt), Minette, Monahan, Mulholland, Mundy, Nutting, O'Connor, Ormsbee, Park-er, Quigley, Ritch, Rolph, Sherman, Smith, Stevens, Toomey, York, Mr. Speaker. Total 53.

Noes: Busch, Ewing, Holding, Johnson, Nelson, Padbury, Scofield, Southmayd, Stimatz, Worden. Total 10.

Absent and not voting: Acher, Ballard, Burris, Buttelman, Chapman, Conner, Connors, Coultas, Cusick, Doe, Ecton, Egan, Fowler, Goodwin, Gordon, Harwood, Haugan, Heavlin, Kruse, McLaughlin, Manning, Metlen, Miller (Big Horn), Mitchell, Moss, Neary, O'Brien, O'Byrne, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Ryan, Sexton, Spiegel, Stromnes, Watson, Whaley, White (Judith Basin), White (Hill). Total 39.

The Speaker: Fifty-three have voted "aye"; ten have voted "no"; Conference Committee report on House amendments to Senate Bill No. 84 has been adopted by the House.

MOTIONS AND RESOLUTIONS

It was moved by Rolph, duly seconded and carried, that the House reconsider its action on the adoption of the Conference Committee report on Senate amendments to House Bill No. 511. The Speaker appointed the same Conference Committee to bring in report.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion, House Bill No. 343 was taken from Third Reading and referred to the Committee on Relief and Social Welfare, for the purpose of arranging the various amendments in the bill.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that further messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the appointment of Conference Committee from the Senate, to confer with like committees from the House for consideration of Senate amendments to House Bills Nos. 491 and 517, as requested by the House, was this day, on motion, referred to the Senate Committee on Committees.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the report of the Joint Conference Committee on House Bil No. 419 was this day, on motion, adopted, and the matter of appointment of a

new committee from the Senate, was, upon motion, referred to the Senate Committee on Committees.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the reports of Joint Conference Committees on Senate amendments to House Bill No. 397 and House Bill No. 478, were this day, on roll call, adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day, on motion, and at the request of the House, appointed the following Senators to act as a Conference Committee from the Senate to confer with a like committee from the House for the consideration of Senate amendments to House Bill No. 233.

Shannon, Hennessy, Stevens.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Enrolling: Reported Sub. S. B. No. 22 and S. J. R. No. 8 and S. B. No. 153 correctly enrolled and duly verified.

Public Health and Sanitary Affairs: That H. B. No. 508 be concurred in.

That H. B. No. 507 be concurred in.

Finance and Claims: That H. B. No. 507 be concured in.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the report of the Joint Conference Committee on Senate Bill No. 84 was this day, on motion, adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that, on motion, the report of the Joint Conference Committee on H. B. No. 511 was rejected, and the President of the Senate, on motion, appointed the following Senators to act as a new Conference Committee from the Senate with a like committee from the House for the further consideration of said H. B. No. 511.

Campbell, Parkin, Melton.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

THIRD READING OF SENATE BILLS

Senate Bill No. 26, introduced by Cotter, Eaton, Sparling, Campbell, Clifford, and Hollenback, having been read three several times, history and title agreed to, was concurred in by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Bertsche, Boone, Brennan, Busch, Buttelman, Byrne, Chamberlain, Conner, Coultas, Emmett, Ewing, Foor, Green (Dawson), Hall, Harlen, Harwood, Hedden, Hinerman, Johnson, Kathan, Kelly, Lasby, Leary, Lemmer, Liggett, Lippard, Logan, Lott, McCausland, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Minette, Monahan, Moss, Nutting, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Sexton, Sherman, Smith, Southmayd, Stevens, Toomey, York, Mr. Speaker. Total 56.

Noes: Burris, Connors, Doe, Emmons, Gray, Groene (Fergus), Haight, Holding, Joffray, Kuhl, Lovell, Mitchell, Mulholland, Mundy, Neary, Nelson, O'Brien, O'Byrne, Ormsbee, Ryan, Scofield, Spiegel, Stimatz, Stromnes, Worden. Total 25.

Absent and not voting: Acher, Ballard, Chapman, Cusick, Ecton, Egan, Fowler, Goodwin, Gordon, Hamilton, Haugan, Heavlin, Kruse, Leavitt, McLaughlin, Metlen, Rolph, Watson, Whaley, White (Judith Basin), White (Hill). Total 21.

The Speaker: Fifty-six have voted "aye"; twenty-five have voted "no"; Senate Bill No. 26 has been concurred in by the House.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

CONSIDERATION OF GENERAL ORDERS

Stimatz of Silver Bow in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That House Bill No. 26 be amended as follows: Amend Section 2 by striking out in line 73, the words and figures "\$37,500 per annum" and inserting in lieu thereof the words "in an amount to be determined by legislative enactment" and as amended do pass.

STIMATZ, Chairman.

On motion of Stimatz, report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Haight, duly seconded and carried, that House Bill No. 26 be considered properly engrossed and placed on Third Reading.

THIRD READING OF HOUSE BILLS

House Bill No. 26, introduced by Haight, having been read three several times, history and title agreed to, being a Constitutional amendment, failed to pass by a two-thirds majority vote, as follows:

Ayes: Anderson, Balgord, Ballard, Bertsche, Brennan, Busch, Byrne, Conner, Coultas, Doe, Emmett, Emmons, Ewing, Fowler, Gray, Groene (Fergus), Haight, Harlen, Harwood, Haugan, Hedden, Johnson, Kelly, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Lovell, McCausland, McLaughlin, Masterson, Miller (Big Horn), Monahan, Moss, Mundy, Nelson,

Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Peterson (Gallatin), Quigley, Ritch, Rolph, Sexton, Sherman, Southmayd, Stevens, Stimatz, Stromnes, Toomey, Worden, York. Total 59.

Noes: Ahlgreen, Boone, Chamberlain, Chapman, Connors, Foor, Green (Dawson), Hall, Holding, Hinerman, Kathan, Kuhl, Lasby, Lott, Manning, Miller (Roosevelt), Mitchell, Mulholland, Neary, Petersen (Sheridan), Peterson (Valley), Ryan, Scofield, Smith, Spiegel, White (Hill), Mr. Speaker. Total 27.

Absent and not voting: Acher, Burris, Buttelman, Cusick, Ecton, Egan, Goodwin, Gordon, Hamilton, Heavlin, Joffray, Kruse, Metlen, Minette, Watson, Whaley, White (Judith Basin). Total 17.

The Speaker: Fifty-eight have voted "aye"; twenty-seven have voted "no"; House Bill No. 26, being a Constitutional amendment, failed to pass the House, by a two-thirds vote.

MOTIONS AND RESOLUTIONS

It was moved by O'Connor, duly seconded, that Senate Bill No. 47 be taken from the Committee on Constitutional amendments and placed on General Orders. Motion was lost.

House recessed .

House resumed. Mr. Speaker in the Chair.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Conference Committee, having had under consideration House Bill No. 532, entitled: "An Act to appropriate money for the operation, maintenance and other purposes, as designated herein, for certain state departments, boards, bureaus, commissions and institutions, for the period beginning July 1, 1935 and ending June 30, 1937."

Respectfully recommend as follows:

The House agrees to Senate amendment in line "8";

The House agrees to the Senate Committee of the Whole amendment in line "41";

The House agrees to the Senate amendment in lines "115" and "116";

The House agrees to the Senate amendment in lines "121" and "122";

The House agrees to Senate Committee of the Whole amendment in lines "125" and "126";

The senate recedes from amendment in lines "127" "128" and "129";

The House agrees to Senate amendment in line "135";

The House agrees to Senate amendment in line "142";

The House agrees to Senate amendment in line "162";

The House agrees to Senate amendment in line "192";

The Senate recedes from amendment in lines "287" and "288";

The Senate recedes from its amendments in lines "290" and "291";

The House agrees to Senate amendment in line "301";

The Conference Committee amends Section 2, lines 13 and 14, page 14 of the "Engrossed Bill" by striking out the words and figures "thirty-five hundred dollars" (\$3,500.00), and inserting in lieu thereof the words and figures "forty-five hundred dollars" (\$4,500.00);

The Senate recedes from its amendment in lines "308", "309" and "310";

The House agrees to Senate amendment in lines "311," "312," "313," and "314";

The House agrees to Senate amendment in line "357";

The House agrees to Senate amendment in line "358";

The House agrees to the Senate Committee of the Whole amendment in line "42";

The House agrees to Senate amendment in lines "102" and "103";

The House agrees to Senate amendment in lines "108" and "109";

The House agrees to the Senate Committee of the Whole amendment in lines "112" and "113";

The House agrees to the Senate amendment in line "119";

The House agrees to the Senate amendment in line "126";

The House agrees to the Senate amendment in line "146";

The House agrees to the Senate amendment in line "174";

The Senate recedes from its amendment in lines "267" and "268";

The Conference Committee amends Section 3, line 19, page 28 of the engrossed bill" by striking out the words and figures "Thirty-five Hundred Dollars (\$3,500.00)", and inserting in lieu thereof the words and figures "Forty-five Hundred Dollars (\$4,500.00)";

The Senate recedes from its amendment in lines "284", "285" and "286";

The House agrees to the Senate amendment in lines "287", "288", "289" and "290";

The House agrees to the Senate amendment in line "333";

The House agrees to the Senate amendment in line "334";

And as so amended, be concurred in.

CHAPMAN,
FOWLER,
O'BYRNE,

For the House.

LARSON,
SULLIVAN,
PLANK,

For the Senate.

On motion of Chapman, report of the Conference Committee on Senate amendments to House Bill No. 532, was adopted by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Byrne, Chamberlain, Chapman, Conner, Connors, Coultas, Emmett, Emmons, Ewing, Foor, Gray, Haight, Harlen, Haugan, Hedden, Holding, Hinerman, Joffray, Kathan, Kelly, Kuhl, Lasby, Lemmer, Liggett, Lippard, Logan, Lott, Lovell, McCausland, McLaughlin, Manning, Masterson, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mundy, Nelson, Nutting, O'Brien, O'Byrne, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Smith, Southmayd, Spiegel, Stevens, Stimatz, Stromnes, Toomey, White (Hill), York, Mr. Speaker. Total 72.

Noes: None.

Absent and not voting: Acher, Buttelman, Cusick, Doe, Ecton, Egan, Fowler, Goodwin, Gordon, Green (Dawson), Groene (Fergus), Hall, Hamilton, Harwood, Heavlin, Johnson, Kruse, Leary, Leavitt, Minette, Mulholland, Neary, O'Connor, Ormsbee, Peterson (Valley), Sherman, Watson, Whaley, White (Judith Basin), Worden. Total 30.

The Speaker: Seventy-two have voted "aye"; none have voted "no"; Conference Committee report on Senate amendments to House Bill No. 532, has been adopted by the House.

Mr. Speaker: We, your Conference Committee, having had under consideration Senate Committee of the Whole amendments to House Bill No. 419, respectfully report that we have been unable to come to an agreement and we therefore recommend that your committee be discharged and a new Conference Committee be appointed by the Senate to act with a like committee appointed by the House.

COBURN,
HOLTON,
SIBBERT,

For the Senate.

HAIGHT,
EMMONS,
LOTT,

For the House.

On motion of Haight, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that, on motion, duly seconded and carried, the Senate this day requests the House for the return of House Bill No. 20 to the Senate for further consideration.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that the request of the Honorable Senate for the return of House Bill No. 20 be granted.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Resolution was this day read and adopted by the Senate:

Senate Resolution No. 14: A Resolution commenting upon the actions of the House in ordering publication and distribution of an anonymous communication at the expense of the taxpayers of the state.

Introduced by Melton, Coburn, Liess, Arnold, Parkin, Hollenback, Groff, Ekegren, Campbell, Cooper, Keeley, Stevens, Holt, MacGillvra, O'Day, Blankenbaker, Page, Kilduff, Larson and Sullivan:

Whereas, on February, 26th, 1935, the House of Representatives of the Twenty-fourth Legislative Assembly did cause to be printed an anonymous "Letter from a Tired Legislator to his Friend at Home" commenting at great length upon the implied unequalled constructive benefits which would accrue to the State of Montana, were the House program concurred in by the Senate; and

Whereas, no reputable publication will give credence to, or publicity for any author hiding behind the cloak of anonymity,

Now Be It Resolved by the Senate of the Twenty-fourth Legislative Assembly that we vigorously condemn the actions of the majority of members in the current House for their laxity of perspective in acceding to the wishes of a disgruntled member or bloc by voting to have printed and distributed at the expense of the taxpayers of Montana an unsigned article designed to carry sympathy for these House members and cause pressure to be brought by constituents in coercion of Senate members to the end that legislative matter of personal interest receive undue favor, to the gratification and personal political aggrandizement of said House members.

And Be It Further Resolved, That this Resolution be adopted and spread at length upon the Senate Journal.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

The Speaker appointed Haight, Busch and Byrne as the new Conference Committee on Senate Amendments to House Bill No. 419.

As a new member I cannot speak from actual experience but it is the consensus of the veteran members of this Assembly that our present enrolling department is one of the most efficient in years.

Despite the fact that the personnel of this department is smaller in size than in previous years, it has been right on our heels throughout the session, and right now awaits the next bill for enrollment.

Bills submitted for enrollment have been completed with a dispatch that has aroused the commendation of the older members. Not only have they been completed with dispatch, but have been submitted in such form that they are letter perfect. That in face of the fact any number of the measures were received in a confused condition.

From what I am able to learn the efficiency of the department is due to the fact that it is in the hands of practical heads. Under the guidance of Miss Marguerite Wing, an experienced typist, and Si Stoddard, former legislator and newspaper man, the members of the Enrolling Department were selected from the ranks of the attaches and drilled in the performance of their duties during the earlier part of the session, when the work of the department was lighter than at the present time.

In view of the fact that the question of employment in the Legislature is a problem that confronts every Assembly, I consider it a move in the right direction that note be taken of the manner in which the enrolling department has been conducted this year, and the information made a matter of record, as it may prove of value two years hence.

MONAHAN.

It was moved by Stevens, duly seconded and carried, that the attaches in the Chief Clerk's and Sergeant-at-Arms office be given a vote of thanks for their very efficient service.

House recessed.

House resumed. Mr. Speaker in the Chair.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the report of the Joint Conference Committee on H. B. No. 532 was this day, on roll call, adopted.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, refused to adopt the Joint Conference Committee report on House Bill No. 419, and on roll call, further consideration of the bill was indefinitely postponed.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 377, 397, 478, 533, 147, 507, and 508.

MONAHAN, Chairman.

Without objection, report adopted.

I have read House Bills Nos. 507 and 508, as reported from the Enrolling Committee and certify same to be correct.

AHLGREEN.

I have read House Bill No. 377, as reported from the Enrolling Committee and certify same to be correct.

LOTT.

We have read House Bill No. 397, as reported from the Enrolling Committee and certify same to be correct.

GRAY AND TOOMEY.

We have read House Bill No. 478, as reported from the Enrolling Committee and certify same to be correct.

GRAY AND TOOMEY.

I have read House Bill No. 533, as reported from the Enrolling Committee and certify same to be correct.

FOWLER.

I have read House Bill No. 147, as reported from the Enrolling Committee and certify same to be correct.

PETERSON of Valley.

The Speaker announced he was about to sign House Bill No. 507, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 508, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 377, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 397, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 478, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 533, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 147, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 152, 540, 490, 489, 275, 364, 366, 449, 283, 289, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11:20 o'clock P. M., delivered to the Governor for his approval.

MONAHAN, Chairman.

Without objection, report adopted.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Conference Committee appointed by the House and Senate to confer upon Senate amendments to House Bill No. 511, beg leave to report and recommend as follows:

That Senate amendments by Committee on Taxation to House Bill No. 511 be amended by; striking out in Section 2 the word "two" at the end of Sub-section (A) and inserting in lieu thereof the words and figures "one and three-fourths ($1 \frac{3}{4}$). By striking out in said Section 2 of said amendment the words and figures "two and one-half ($2 \frac{1}{2}$)" in Sub-section (B) and inserting in lieu thereof the words and figures "two and three-fourths ($2 \frac{3}{4}$)," and as so amended, the House accede to such Senate amendments.

That the House accede to all other Senate amendments.

CAMPBELL,
PARKEN,
MELTON,

For the Senate.

HEDDEN,
ROLPH,
FOOR,

For the House.

On motion of Hedden, Conference Committee report on Senate amendments to House Bill No. 511 was adopted by the following vote:

Ayes: Ahlgreen, Anderson, Bertsche, Brennan, Burris, Busch, Byrne, Chamberlain, Chapman, Conner, Couitas, Ewing, Foor, Gray, Haight, Harlen, Harwood, Hedden, Holding, Hinerman, Kathan, Kelly, Kuhl, Lasby, Lemmer, Liggett, Lippard, Lott, Lovell, McCausland, Manning, Masterson, Miller (Roosevelt), Miller (Big Horn), Mitchell, Moss, Mulholland, Mundy, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Padbury, Petersen (Sheridan), Peterson (Valley), Quigley, Ritch, Rolph, Ryan, Scofield, Sexton, Sherman, Smith, Southmayd, Spiegel, Stevens, Toomey, Worden, York, Mr. Speaker. Total 61.

Noes: Green (Dawson), Stimatz. Total 2.

Absent and not voting: Acher, Balgord, Ballard, Boone, Buttelman, Connors, Cusick, Doe, Ecton, Egan, Emmett, Emmons, Fowler, Goodwin, Gordon, Groene (Fergus), Hall, Hamilton, Haugan, Heavlin, Joffray, Johnson, Kruse, Leary, Leavitt, Logan, McLaughlin, Metlen, Minette, Monahan, Neary, Ormsbee, Parker, Peterson (Gallatin), Stromnes, Watson, Whaley, White (Judith Basin), White (Hill). Total 39.

The Speaker: Sixty-one have voted "aye," two have voted "no"; Conference Committee report on Senate amendments to House Bill No. 511 has been adopted by the House.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 343 was this day recommended for concurrence as amended by the Committee on Relief and Social Welfare, report adopted;

was concurred in by the Senate Committee of the Whole; was read third time and concurred in, title and history agreed to; and bill is herewith returned to the House for concurrence in the Senate amendments.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

CONSIDERATION OF GENERAL ORDERS

Busch of Fallon in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That Senate amendments to Substitute House Bill No. 343 be not concurred in and a Conference Committee be appointed and a like committee be requested from the Senate.

BUSCH, Chairman.

On motion of Busch, report adopted.

House recessed.

House resumed. Mr. Speaker in the Chair.

It was moved by Byrne, duly seconded and carried, that the House recess to listen to J. E. Bruce on the controversial items of House Bill No. 491 and that the members of the Honorable Senate be invited to sit in with the House if they so desired.

The Speaker appointed Byrne and Moss to invite the Senate on the above motion.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Conference Committee, having had under consideration Senate Committee of the Whole amendments to House Bill No. 419, respectfully report that we have been unable to come to an agreement and we therefore recommend that your committee be discharged and a new Conference Committee be appointed by the Senate to act with a like committee appointed by the House.

COBURN,
HOLTON,
SIBBERT,

For the Senate.

HAIGHT,
EMMONS,
LOTT,

For the House.

On motion of Haight, report adopted.

The Speaker reappointed the same committee to act on Senate amendments to House Bill No. 491, as follows: Haight, Emmons and Lott.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 511 and 532.

MONAHAN, Chairman.

Without objection, report adopted.

I have read House Bill No. 511, as reported from the Enrolling Committee and certify same to be correct.

HEDDEN.

I have read House Bill No. 532, as reported from the Enrolling Committee and certify same to be correct.

FOWLER.

The Speaker announced he was about to sign House Bill No. 511, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 532, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Conference Committee on House Bill No. 233, respectfully report that we cannot agree and ask that we be dismissed, and another Conference Committee be appointed.

SHANNON,
HENNESSY,
STEVENS,
For the Senate.

ROLPH,
MOSS,
FOWLER,
For the House.

On motion of Rolph, report adopted.

The Speaker appointed Chapman, Byrne, and Fowler as the new Conference Committee on Senate amendments to House Bill No. 233.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND
THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the report of the Joint Conference Committee on Senate amendments to H. B. No. 491 was this day adopted, and on motion, the Senate refused to appoint another committee to confer with a like committee from the House on this bill, and, on motion, further action by the Senate was indefinitely postponed.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that a new Conference Committee be appointed on Senate amendments to House Bill No. 491.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Conference Committee, having had under consideration House amendments to Substitute for Substitute Senate Bill No. 8, recommend that the House amendments be concurred in.

HAIGHT,
ROLPH,
FOWLER,
For the House.
ARMSTRONG,
For the Senate.

On motion of Haight, report of Conference Committee on House amendments to Substitute Senate Bill No. 8 was adopted by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Burris, Busch, Chamberlain, Chapman, Connors, Coultas, Doe, Emmett, Ewing, Foor, Fowler, Gray, Green (Dawson), Haight, Harlen, Harwood, Haugan, Hedden, Holding, Hinerman, Kathan, Kelly, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, McCausland, Manning, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Mundy, Nelson, Nutting, O'Brien, O'Byrne, O'Connor, Ormsbee, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Scofield, Sexton, Sherman, Smith, Stevens, Stimatz, Toomey, White (Hill), York, Mr. Speaker. Total 68.

Noes: Stromnes and Worden. Total 2.

Absent and not voting: Acher, Brennan, Buttelman, Byrne, Conner, Cusick, Ecton, Egan, Emmons, Goodwin, Gordon, Groene (Fergus), Hall, Hamilton, Heavlin, Joffray, Johnson, Kruse, Lott, Lovell, McLaughlin, Masterson, Minette, Moss, Neary, Padbury, Ryan, Southmayd, Spiegel, Watson, Whaley, White (Judith Basin). Total 32.

The Speaker: Sixty-eight have voted "aye," two have voted "no"; Conference Committee report on House amendments to Substitute Senate Bill No. 8 was adopted by the House.

The Speaker appointed Gray, O'Byrne, and Toomey as the new Conference Committee on Senate amendments to House Bill No. 491.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND
THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the report of the Joint Conference Committee on Senate amendments to House Bill No. 233 was this day adopted, and, on motion, a new committee, composed of Senators Stevens, Arnold and Hammond, was selected by the President to confer with a like committee from the House for the further consideration of said amendments.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day did adopt the report of the Joint Conference Committee on the House amendments to Sub. for Sub. S. B. No. 8, and on motion, a new committee, composed of Thien, O'Day and Cotter, was appointed by the President to confer with a like committee from the

House for the further consideration of said amendments, and the House is hereby requested to appoint such like committee.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, at the request of the House, appointed the following Senators to act as a Conference Committee with a like committee from the House for consideration of Senate amendments to H. B. No. 377: Meyer, Sibbert, Stevens.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee on Constitutional Amendments this day recommend H. B. No. 205 for concurrence, but said bill failed of concurrence in the Committee of the Whole, report adopted, and bill is herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on roll call, concurred in the House amendments to Senate Bill No. 26.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Conference Committees were this day appointed to act with like committees from the House:

For consideration of Senate amendments to H. B. No. 419: Coburn, Sibbert and Holton.

For consideration of Senate amendments to H. B. No. 491: Wass, Kalberg, and Kilduff.

For consideration of Senate amendments to H. B. No. 517: Simmons, Delaney, Holt.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 20 failed of concurrence in the Senate and bill is herewith returned to the House.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

The Speaker appointed Haight, Foor and Burris as new Conference Committee on House amendments to Substitute for Substitute Senate Bill No. 8.

MOTIONS AND RESOLUTIONS

It was moved by Burris, duly seconded, that the House Rules be amended as follows: Amend Rule 9 to read as follows:

1. The Committee on Rules, Joint Rules and Order of Business, shall consist of the Speaker and four members to be by him appointed. The Speaker shall name the membership of all House Committees including all Special Select and Standing Committees, membership in all House Standing Committees shall not exceed eleven in total number, except the three following committees: Appropriations, Revenue and Taxation, and Judiciary, all of which shall have fifteen members in total.

2. The total number of House Standing Committees shall not exceed twenty in number and shall be given their proper names by the Committee on Rules, Joint Rules and Order of Business.

3. It shall be the duty of the members named on all House Standing Committees to elect the chairman and vice-chairman of each committee and in the event the committee fails to agree on a chairman, the Speaker shall appoint the chairman and vice-chairman of such committee.

Above motion referred to the Committee on Rules, Joint Rules and Order of Business.

It was moved by Haight, duly seconded, that Rules 29, relating to the previous question be amended so that it will take a two-thirds vote to move previous question instead of a majority.

Above motion referred to the Committee on Rules, Joint Rules and Order of Business.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Conference Committee, having had under consideration House amendments to Substitute for Substitute Senate Bill No. 8, recommend that the House amendments be concurred in.

COTTER,

For the Senate.**

HAIGHT,

FOOR,

BURRIS,

For the House.

On motion of Burris, duly seconded, report of Conference Committee on House amendments to Substitute for Substitute Senate Bill No. 8 was adopted by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Burris, Busch, Chamberlain, Connors, Coultas, Doe, Emmett, Ewing, Foor, Gray, Green (Dawson), Haight, Harlen, Harwood, Haugan, Hedden, Holding, Hinerman, Kathan, Kelly, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, McCausland, McLaughlin, Manning, Miller (Roosevelt), Mitchell, Monahan, Mulholland, Mundy, Nelson, O'Brien, O'Byrne, Ormsbee, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Rolph, Scofield, Sexton, Sherman, Smith, Stevens, Stimatz, Toomey, White (Hill), York, Mr. Speaker. Total 62.

Noes: Groene (Fergus), Metlen, O'Connor, Worden. Total 4.

Absent and not voting: Acher, Brennan, Buttelman, Byrne, Chapman, Connor, Cusick, Ecton, Egan, Emmons, Fowler, Goodwin, Gordon, Hall, Hamilton, Heavlin, Joffray, Johnson, Kruse, Lott, Lovell, Masterson, Miller (Big Horn), Minette, Moss, Neary, Nutting, Padbury, Ritch, Ryan, Southmayd, Spiegel, Stromnes, Watson, Whaley, White (Judith Basin). Total 36.

The Speaker: Sixty-two have voted "aye," four have voted "no"; Conference Committee report on House amendments to Substitute for Substitute Senate Bill No. 8, has been adopted by the House.

House recessed.

House resumed. Mr. Speaker in the Chair.

The Speaker announced he was about to sign Senate Bill No. 26, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Senate Bill No. 84, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that Senate Bill No. 89 be returned from the Governor's office.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Conference Committee, appointed and constituted for the purpose of considering Senate amendments to House Bill No. 517, hereby respectfully report as follows:

That all of Sections 3 and 4 of the printed bill and also all Senate amendments be stricken out and to insert in lieu thereof the following:

"Section 3. For the uses and purposes of the provisions of this Act, the Water Conservation Act, and all Acts amendatory thereof or supplemental thereto, there is hereby appropriated out of and from the Montana liquor control board fund for the year ending March 1st, 1936, as allocated and provided for in Subdivision (A) of Section 20 of Substitute House Bill No. 343 of the 24th Legislative Assembly of the State of Montana, 1935, fifteen per centum (15%) of the net profits derived from time to time from the administration of Chapter 105 of the Session Laws of the 23rd Legislative Assembly of the State of Montana, 1933 as amended in part by Chapter 57 of the Laws of the Extraordinary Session of the 23rd Legislative Assembly of the State of Montana, 1933-34, as further amended in part by Substitute House Bill No. 343 of the 24th Legislative Assembly of the State of Montana, 1935 into the "administration fund" of the Water Conservation Board for the purpose of the general administration expenses of said board and the cost of surveys and investigations as authorized by this Act, the Water Conservation Act, or any Acts amendatory thereof or supplemental thereto, until such per centum shall aggregate but not exceed the sum of One Hundred Thousand Dollars (\$100,000.00); and there is hereby appropriated out of and from the said Montana liquor control board fund for the year commencing March 1st, 1936 and ending March 1st, 1937, six and two-thirds per centum (6 2/3%) of the net profits as allocated and provided for by Subdivision (A) of Section 20 of said Substitute House Bill No. 343 of the 24th Legislative Assembly of the State of Montana, 1935, into the "administration fund" of the Water Conservation Board for the purpose of general administration expenses of said board and the cost of surveys and investigations as authorized by this Act, the Water Conservation Act, or any Acts amendatory thereof or supplemental thereto, until such per centum shall aggregate, but not exceed One Hundred Thousand Dollars (\$100,000.00); provided, no warrants shall be drawn upon the administration fund in excess of the amount in the State Treasury to the credit of such fund and, provided, further, that the State Treasurer shall credit the "administration fund" with the amount of the appropriations herein provided, as and when received upon filing in the office of

the State Treasurer a copy of the resolution of the board showing the amount authorized to be transferred by the Montana Liquor Control Board on the 20th day of each and every month commencing on the 20th day of March, 1935, and continuing each month thereafter until the full sum of the appropriations aforesaid have been paid into the "administration fund."

"Section 4. For the uses and purposes of carrying out the provisions of this Act, there is hereby appropriated out of and from the Montana liquor control board fund as allocated and provided for by Subdivision (A) of Section 20 of Substitute House Bill No. 343 of the 24th Legislative Assembly of the State of Montana, 1935, for the year commencing March 1st, 1936, and ending March 1st, 1937, ten per centum (10%) of the net profits derived from the administration of the Montana liquor control board fund, as and when received but which per centum shall not exceed a sum aggregating One Hundred Fifty Thousand Dollars (\$150,000.00), into the conservation revolving fund, for carrying out the provisions of the Water Conservation Act and Acts amendatory thereof or supplemental thereto, and all of the Acts of the Legislative Assembly designed for the cooperation of the State Water Conservation Board with departments and agencies of the Federal Government, in aid of the relief of unemployment and rehabilitation of the people of Montana; there is also hereby appropriated out of and from all moneys received from inheritance taxes hereafter received by the State of Montana as allocated and provided for by Subdivision (E) of Section 20 of Substitute House Bill No. 343 of the 24th Legislative Assembly of Montana, 1935, seventy per centum (70%) of the money thereof when and as received, until such time as said sum shall amount to but not exceed the sum of Three Hundred Fifty Thousand Dollars (\$350,000.00) into the conservation revolving fund for carrying out the provisions of the Water Conservation Act and Acts amendatory thereof and supplemental thereto as aforesaid, provided no warrant shall be drawn upon the conservation revolving fund in excess of the amount in the State Treasury to the credit of such fund and provided further that the State Treasurer shall credit the conservation revolving fund with the amount received from the said inheritance taxes upon receipt thereof; provided, however, that the appropriations herein provided for are deemed to be the same appropriations allocated to the Water Conservation Board as provided for in Substitute House Bill No. 343 of the 24th Legislative Assembly of the State of Montana, 1935."

That House Bill No. 517 be further amended by striking out all of Section 7.

SIMMONS,
DELANEY,
HOLT,

For the Senate.

MANNING,
ROLPH,
SMITH,

For the House.

On motion of Manning, Conference Committee report on Senate amendments to House Bill No. 517 was adopted by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Bertsche, Boone, Brennan, Burris, Busch, Byrne, Chamberlain, Connors, Doe, Ecton, Emmett, Ewing, Foor, Gray, Green (Dawson), Harlen, Harwood, Haugan, Hedden, Holding, Hinerman, Kathan, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, McCausland, Manning, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Mundy, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Scofield, Sexton, Sherman,

Smith, Southmayd, Stevens, Stimatz, Stromnes, Toomey, White (Hill), Worden, York, Mr. Speaker. Total 68.

Noes: Groene (Fergus).

Absent and not voting: Acher, Ballard, Buttelman, Chapman, Conner, Coultas, Cusick, Egan, Emmons, Fowler, Goodwin, Gordon, Haight, Hall, Hamilton, Heavlin, Joffray, Johnson, Kelly, Kruse, Lott, Lovell, McLaughlin, Masterson, Minette, Neary, Nelson, Nutting, Ryan, Spiegel, Watson, Whaley, White (Judith Basin). Total 33.

The Speaker: Sixty-eight have voted "aye," one has voted "no"; Conference Committee report on Senate amendments to House Bill No. 517, has been adopted by the House.

Mr. Speaker: We, your Conference Committee appointed and constituted for the purpose of considering Senate amendments to Substitute House Bill No. 343 hereby respectfully report as follows:

Strike out commencing with line 5 of page 10 of the mimeographed bill the balance of the page, and also lines 1 to 10 inclusive, of page 11 of the mimeographed bill and insert in lieu thereof the following:

"Section 97. For the two years immediately following the approval of this Act the net profits derived from time to time after providing the money required for the administration of this Act shall be by the State Treasurer distributed as follows:

For the year ending March 1, 1936, 33 1/3% thereof to the general fund of the State of Montana. Fifteen per cent thereof to the administration fund of the Water Conservation Board, and the remaining 51 2/3% to the relief fund of the State of Montana to be administered by the Montana Relief Commission provided that when the general fund shall have received from the foregoing allocation a sum aggregating Three Hundred Thousand Dollars (\$300,000.00) and the administration fund of the Water Conservation Board shall have received a sum aggregating One Hundred Thousand Dollars (\$100,000.00), then all of the net profits so derived from time to time after providing the money required for the administration of this Act shall be by the State Treasurer distributed to the relief fund of the State of Montana.

For the year beginning March 1, 1936, and ending March 1, 1937, the net profits derived from time to time after providing the money required for the administration of this Act, shall be by the State Treasurer distributed as follows:

Thirty-three and a third per cent thereof to the general fund of the State of Montana; six and two-thirds per cent thereof to the administration fund of the Water Conservation Board; ten per cent thereof to the conservation revolving fund of the Water Conservation Board, and the remaining fifty per cent to the relief fund of the State of Montana, to be administered by the Montana Relief Commission, provided, that when the general fund shall have received from the last foregoing allocation a sum aggregating Three Hundred Thousand Dollars (\$300,000.00) and the administration fund of the Water Conservation Board, shall have received a sum aggregating One Hundred Thousand Dollars (\$100,000.00) and the conservation revolving fund of the Water Conservation Board shall have received a sum aggregating One Hundred and Fifty Thousand Dollars, (\$150,000.00) then all of the net profits so derived from time to time, after providing the money required for the administration of this Act, shall be by the State Treasurer distributed to the relief fund of the State of Montana, until said relief fund receives the aggregate sum of Three Million Dollars (\$3,000,000.00) as provided by this Act.

Strike out lines 15, 16, and subsequent lines to and including the word "state" in line 29 of page 13 of the mimeographed bill and insert in lieu thereof the following:

"Section 4. For the two years immediately following the approval of this Act, all inheritance taxes provided herein and by other Laws of the State of Montana, shall until March 1, 1937, be for the use and benefit of and by the State Treasurer credited and distributed as as follows:

"Fifteen per cent thereof to the common school interest and income fund; fifteen per cent thereof to the state common school equalization fund; seventy per cent thereof to the conservation revolving fund of the Water Conservation Board until such time as said conservation revolving fund shall have received the aggregate sum of Three Hundred and Fifty Thousand Dollars (\$350,000.00), then the said seventy per cent to the relief fund of the State of Montana, until the said relief fund shall receive in the aggregate the sum of Two Hundred and Fifty Thousand Dollars (\$250,000.00) then the said seventy per cent shall thereafter be distributed to the general fund of the State of Montana."

Strike out the words "one from," end of line 4 on page 3, all of line 5 and 6 to and including the word "stockgrowers."

That the House concurs in all other Senate amendments.

KALBERG,
HOLT,
OLIVER,

For the Senate.

METLEN,
ROLPH,
LEAVITT,

For the House.

On motion of Metlen, Conference Committee report on Senate amendments to House Bill No. 343 was adopted by the following vote:

Ayes: Ahlgreen, Balgord, Bertsche, Boone, Brennan, Burris, Busch, Byrne, Chamberlain, Chapman, Connors, Coultas, Doe, Ecton, Emmett, Ewing, Foor, Gray, Green (Dawson), Harlen, Harwood, Haugan, Hedden, Holding, Hinerman, Kathan, Kelly, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, McCausland, Manning, Metlen, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Mulholland, Mundy, O'Brien, O'Byrne, O'Connor, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Rolph, Scofield, Sexton, Sherman, Smith, Southmayd, Stevens, Stimatz, White (Hill), Worden, York, Mr. Speaker. Total 67.

Noes: Groene (Fergus).

Absent and not voting: Acher, Anderson, Ballard, Buttelman, Conner, Cusick, Egan, Emmons, Fowler, Goodwin, Gordon, Haight, Hall, Hamilton, Heavlin, Joffray, Johnson, Kruse, Lott, Lovell, McLaughlin, Masterson, Minette, Moss, Neary, Nelson, Nutting, Ryan, Spiegel, Stromnes, Toomey, Watson, Whaley, White (Judith Basin). Total 34.

The Speaker: Sixty-seven have voted "aye," one has voted "no"; Conference Committee report on Senate amendments to Substitute House Bill No. 343, has been adopted by the House.

Mr. Speaker: We, your Conference Committee appointed to consider Senate amendments to House Bill No. 233, recommend as follows:

That Senate recede from its amendment to Section 1, reading as follows: "Provided, however, any person, firm, corporation, co-partnership

or association, either domestic or foreign, upon which any license fee is imposed under this Act, shall have the right to off-set against such license fees all taxes paid by such license upon real property or situated in the State of Montana, owned and used by licensee in operation of each store"; and that there be inserted in lieu thereof the following: "Provided, however, that the term 'store' or 'mercantile establishment' shall not mean nor include gasoline filling stations and/or gasoline distribution plants handling gasoline and other petroleum products exclusively, and/or grain elevators dealing exclusively in grains, seeds, feeds or other farm products or coal, nor to lumber yards and/or material stores handling exclusively the distribution of lumber and/or building materials, or coal";

That that portion of Section 1 of the bill relating to license fees shall be amended to read as follows:

"The license fees herein prescribed shall be as follows:

(1) Upon one store the annual license fee shall be Two Dollars and Fifty Cents (\$2.50).

(2) Upon the second store the annual license fee shall be Twenty-five Dollars (\$25.00).

(3) Upon the third store the annual license fee shall be Seventy-five Dollars (\$75.00).

(4) Upon the fourth store the annual license fee shall be One Hundred Twenty-five Dollars (\$125.00).

(5) Upon the fifth store and upon each store in excess of five, the annual license fee shall be Two Hundred Dollars (\$200.00)."

That all other Senate amendments be concurred in.

HAMMOND,
For the Senate.
CHAPMAN,
FOWLER,
BYRNE,
For the House.

On motion of Chapman, Conference Committee report on Senate amendments to House Bill No. 233, was adopted by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Burris, Busch, Byrne, Chamberlain, Chapman, Connors, Coultas, Ewing, Foor, Fowler, Gray, Groene (Fergus), Haight, Harlen, Harwood, Haugan, Hedden, Hinerman, Joffray, Kathan, Kelly, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, Manning, Miller (Roosevelt), Miller (Big Horn), Mitchell, Monahan, Moss, Mulholland, Mundy, O'Brien, O'Byrne, Ormsbee, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Ritch, Scofield, Sexton, Sherman, Smith, Southmayd, Stevens, Stimatz, Stromnes, Worden, York, Mr. Speaker. Total 65.

Noes: Doe, Emmett, Green (Dawson), Holding. Total 4.

Absent and not voting: Acher, Buttelman, Conner, Cusick, Ecton, Egan, Emmons, Goodwin, Gordon, Hall, Hamilton, Heavlin, Johnson, Kruse, Lott, Lovell, McCausland, McLaughlin, Masterson, Metlen, Minette, Neary, Nelson, Nutting, O'Connor, Rolph, Ryan, Spiegel, Toomey, Watson, Whaley, White (Judith Basin), White (Hill). Total 33.

The Speaker: Sixty-five have voted "aye," four have voted "no"; Conference Committee report on Senate amendments to House Bill No. 233, has been adopted by the House.

MOTIONS AND RESOLUTIONS

It was moved by Haight, duly seconded, that the Conference Committee on Senate amendments to House Bill No. 491 be discharged and that the House concur in Senate amendments to House Bill No. 491.

On substitute motion, it was moved by Fowler, duly seconded, that the motion by Haight be temporarily postponed.

As a substitute motion to all motions pending, it was moved by Gray, duly seconded and carried, that the Conference Committee on Senate amendments to House Bill No. 491 be discharged.

It was moved by Haight, duly seconded, that the House concur in Senate amendments to House Bill No. 491.

A call of the House was demanded by the required number.

On motion of O'Connor, further call of the House was dispensed with. Whereupon, Senate amendments to House Bill No. 491 were concurred in by the following vote:

Ayes: Anderson, Balgord, Ballard, Bertsche, Boone, Busch, Byrne, Coultas, Doe, Ecton, Emmett, Ewing, Gray, Green (Dawson), Groene (Fergus), Haight, Harwood, Haugan, Hedden, Joffray, Kelly, Leary, Leavitt, Lemmer, Liggett, Lippard, Logan, McCausland, Metlen, Miller (Big Horn), Moss, Mundy, O'Connor, Ormsbee, Padbury, Parker Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Quigley, Scofield, Smith, Southmayd, Stevens, Stromnes, White (Hill), Worden. Total 47.

Noes: Ahlgreen, Brennan, Burris, Chamberlain, Chapman, Connors, Foor, Fowler, Harlen, Holding, Hinerman, Kathan, Kuhl, Lasby, Lovell, Manning, Miller (Roosevelt), Mitchell, Monahan, Mulholland, O'Brien, O'Byrne, Ritch, Rolph, Sexton, Sherman, Stimatz, York, Mr. Speaker. Total 29.

Absent and not voting: Acher, Buttelman, Conner, Cusick, Egan, Emmons, Goodwin, Gordon, Hall, Hamilton, Heavlin, Johnson, Kruse, Lott, McLaughlin, Masterson, Minette, Neary, Nelson, Nutting, Ryan, Spiegel, Toomey, Watson, Whaley, White (Judith Basin). Total 26.

The Speaker: Forty-seven have voted "aye," twenty-nine have voted "no"; Senate amendments to House Bill No. 491 have been concurred in by the House.

It was moved by Metlen, duly seconded, that the House now act on motion of the gentleman from Deer Lodge, made on March 3rd, relative to reconsideration on House Bill No. 191.

On substitute motion, it was moved by Lasby, duly seconded, that the House recess for one hour. Motion lost.

On substitute motion, it was moved by Fowler, duly seconded and carried, that further action on House Bill No. 191 be indefinitely postponed.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND
THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion, the report of the Joint Conference Committee on House amendments to Sub. for Sub. S. B. No. 8 was this day, not adopted, and the President appointed the following Senators as a new Conference

Committee from the Senate for the further consideration of said amendments: Simmons, Oliver and Daniels; and the House is hereby requested to appoint a similar committee.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

It was moved by Haight, duly seconded and carried, that the request of the Honorable Senate, for a new Committee on House Amendments to Substitute for Substitute Senate Bill No. 8, be granted.

The Speaker appointed Ormsbee, O'Byrne, and Hinerman as the new Conference Committee on House amendments to Substitute for Substitute Senate Bill No. 8.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the report of the minority of the Joint Conference Committee on Senate amendments to H. B. No. 233, was this day, on motion, not adopted; and the Senate refuses to further confer with the House on the Senate amendments.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on roll call, adopted the report of the Joint Conference Committee on H. B. No. 343.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the report of the Joint Conference Committee on House Bill No. 517 was this day, on roll call, adopted.

Respectfully,
C. J. McALLISTER,
Secretary of the Senate.

It was moved by Byrne, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

CONSIDERATION OF GENERAL ORDERS

Burris of Deer Lodge in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That Senate Bill No. 89 be amended as follows:

Amend Section 2 by striking out present Section 2 and insert in lieu thereof the following: "Section 2. This Act shall be in full force and effect from and after December 31st, 1935."

BURRIS, Chairman.

On motion of Burris, report adopted.

House recessed.

House resumed. Mr. Speaker in the Chair.

THIRD READING OF SENATE BILLS

Senate Bill No. 89, introduced by Campbell and Larson, having been read three several times, history and title agreed to, was concurred in by the following vote:

Ayes: Ahlgreen, Anderson, Balgord, Ballard, Bertsche, Boone, Brennan, Busch, Byrne, Chapman, Doe, Ecton, Ewing, Foor, Fowler, Green (Dawson), Groene (Fergus), Haight, Harlen, Harwood, Haugan, Hedden, Holding, Joffray, Kathan, Kelly, Kuhl, Lasby, Leary, Leavitt, Lemmer, Liggett, Lovell, McCausland, Manning, Miller (Roosevelt), Miller (Big Horn), Moss, Mulholland, Mundy, O'Connor, Padbury, Parker, Petersen (Sheridan), Peterson (Gallatin), Peterson (Valley), Ritch, Rolph, Scofield, Sexton, Sherman, Southmayd, Stevens, Stimatz, Stromnes, White (Hill), Worden, York, Mr. Speaker. Total 59.

Noes: Burris.

Absent and not voting: Acher, Buttelman, Chamberlain, Conner, Connors, Coultas, Cusick, Egan, Emmett, Emmons, Goodwin, Gordon, Gray, Hall, Hamilton, Heavlin, Hinerman, Johnson, Kruse, Lippard, Logan, Lott, McLaughlin, Masterson, Metlen, Minette, Mitchell, Monahan, Neary, Nelson, Nutting, O'Brien, O'Byrne, Ormsbee, Quigley, Ryan, Smith, Spiegel, Toomey, Watson, Whaley, White (Judith Basin). Total 42.

The Speaker: Fifty-nine have voted "aye"; one has voted "no"; Senate Bill No. 89 has been concurred in by the House.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following bill was introduced, read first and second time and referred to the Committee on Appropriations:

House Bill No. 541, introduced by Mulholland: A Bill for an Act entitled: "An Act appropriating money for the payment of per diem to the officers and attaches of the Twenty-fourth Legislative Assembly, for the State of Montana."

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 541, entitled: "An Act appropriating money for the payment of per diem of the officers and attaches of the Twenty-fourth Legislative Assembly of the State of Montana."

Respectfully report as follows: That the same do not pass.

FOWLER, Chairman.

On motion of Fowler, report adopted.

The following was read and placed on file:

My work will soon be over, Back home I'll gladly go,
And if my God be willing, I'll never rove no more.

I'll let some other take my place, In those Legislative Hall,
My mind is tired, my feet are tired, From all those Nite Owl balls.

We started out to romp and play with everybody's bills,
But ended up with rife and strife in them thar golden hills.

The lobbyists sure did pester me, were always round my neck,
With joy I heard the motion read to banish them, by heck.

Another pest was always there, Has never me forsaken,
Sweetly did she always ask, "Have you had your picture taken?"

What they would want my photo for, To go down in history,
With my false teeth and shiny pate, Is more than I can see.

Of course, we know that looks don't count, And that's the reason why
The present Legislature has sailed the seas on high.

We all have done our level best to Keep the ship from sinking,
And we have wondered many times, What folks back home are
thinking.

It's quite a task to legislate, to please the high and lowly,
And for fear of losing all our friends, We have to take it slowly.

There were lots of famous sayings from some who made the laws,
The Gentleman from Silver Bow was to "enact the striking clause."

There were some who spoke and thought alike, In fact, were rather
crony,
But the favorite line of Mr. Byrne, was "it's just a lot of baloney."

The legal mind from Cascade, for sixty days was on the fight,
Not so much for all the people, as his "Constitutional Right."

"There's something wrong in Denmark," says the Wibaux Rep. so
tall,
Tho wrath and anger sometimes showed up, "He's a good sport,"
say they all.

We had farmers, lawyers, business men, and all denominations;
In fact, a well asserted group to pass any legislation.

The cartoonist from Custer County, It is said he never sleeps,
He is here to vote at all times, For still water sure runs deep.

The village smithy from Ravalli, Sure had trouble on his hands,
To retain all his handles, As the city and state demand.

The Gentleman from Sweet Grass, Is generous in his demands,
Reminds us of a parson, The way he folds his hands.

When the black steer from the Teton, Heard the tinkle of the bell,
From the Yellowstone's muddy waters, Thought he'd better raise
some hell.

When Pilgeram's gavel sounded, Like a shot out of a gun,
And his hair stood up like bristles, It was time to cut the fun.

To keep the law and order, On the job he never sat,
Everybody knows and likes him, He is "Casey at the bat."

Now the sixty days are over, Criticism we've never lacked,
When election comes around again, We'll want to come right back.

Authors—Zella Larkin and Hazel Pilgeram.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Joint Conference Committee, having had under consideration Substitute for Substitute Senate Bill No. 8, entitled: "An Act relating to the effect to be given to the valuation of property of public utilities for taxation purposes in determining the valuation of the

same property for rate making purposes." Respectfully report that your said Joint Conference Committee cannot agree on the House amendments to said Substitute for Substitute Senate Bill No. 8.

SIMMONS,
DANIELSEN,
OLIVER,

For the Senate.

ORMSBEE,
O'BYRNE,
HINERMAN,

For the House.

On motion of Ormsbee, report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: H. B. Nos. 343, 491 and 517.

MONAHAN, Chairman.

Without objection, report adopted.

I have read House Bill No. 343, as reported from the Enrolling Committee and certify same to be correct.

METLEN.

I have read House Bill No. 517, as reported from the Enrolling Committee and certify same to be correct.

MANNING.

I have read House Bill No. 491, as reported from the Enrolling Committee and certify same to be correct.

FOWLER.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, adopted the report of the Joint Conference Committee on Substitute for Sub. S. B. No. 8.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Metlen, duly seconded, that the Sergeant-at-Arms be instructed to bring in report authorizing him to pay Bill Clerk for January 13th and January 20th according to provisions of the statute.

On substitute motion, it was moved by Fowler, duly seconded, and carried that motion by Metlen be referred to the Employment Committee.

The Speaker announced he was about to sign Senate Bill No. 89, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign Substitute House Bill No. 343, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 491, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

The Speaker announced he was about to sign House Bill No. 517, whereupon the Clerk read the title of the same and the Speaker did sign in the presence of the House.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 491, 517, and Substitute House Bill No. 343, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, delivered to the Governor for his approval.

MONAHAN, Chairman.

Without objection, report adopted.

It was moved by Byrne, duly seconded and carried, that a Committee of three members of the House be appointed by the Speaker to notify his Excellency, the Governor, that the House of Representatives of the Twenty-fourth Legislative Assembly of the State of Montana, having completed its work, is about to adjourn sine die.

The Speaker appointed Byrne of Toole, Bertsche of Cascade and Lovell of Deer Lodge as the Committee to notify his Excellency, the Governor.

It was moved by Byrne, duly seconded and carried, that a committee be appointed by the Speaker, consisting of three members, to notify the Honorable Senate that the House of Representatives of the Twenty-fourth Legislative Assembly of the State of Montana, having completed its work, is about to adjourn sine die.

The Speaker appointed Haight of Fergus, Metlen of Beaverhead and Fowler of Yellowstone to notify the Honorable Senate.

A committee from the Honorable Senate appeared and the chairman informed the House of Representatives that the Senate had finished its business and was ready to adjourn sine die.

Byrne of Toole, Chairman of the committee to notify his Excellency the Governor, reported the duty performed and that the Governor gave his assurance that he was pleased with the work accomplished and stated he had no further communications to make to the House.

Haight of Fergus, chairman of the committee to notify the Honorable Senate, reported the duty performed.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, upon advice from the House that said body had completed its business and was ready to adjourn sine die, on motion, requested that the President appoint a committee of three members to notify the Governor that the Senate, having completed its business, was ready to adjourn sine die, and a similar committee to notify the House of Representatives; whereupon, the President appointed the following to notify the Governor: Sparling, Kelsey and Murphy; to notify the House: Hot, Campbell and Plumer.

Senator Sparling, chairman of the committee to wait upon the Governor, reported that the committee had informed the Governor that the Senate had completed its business and was ready to adjourn sine die, and the committee was discharged.

Senator Campbell, chairman of the committee to wait upon the House, reported that the committee had informed the House that the Senate had completed its business and was ready to adjourn sine die; and the committee was discharged.

Upon motion of Senator Keeley, duly seconded and carried, the Senate of the Twenty-fourth Legislative Assembly adjourned sine die.

Respectfully,

C. J. McALLISTER,
Secretary of the Senate.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the sixtieth legislative day, find the same to be correct.

QUIGLEY, Chairman.

Without objection, report adopted.

It was moved by Byrne, duly seconded and carried, that the House of Representatives of the Twenty-fourth Legislative Assembly of the State of Montana, do now stand adjourned sine die at 11:55 o'clock P. M. of the sixtieth day.

W. P. PILGERAM,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

